

Costa Verde Center Revitalization Project  
Environmental Impact Report  
SCH No. 2016071031; Project No. 477943

Appendix A

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Notice of Preparation, Response Letters,  
Scoping Meeting Sign-in Sheet, Scoping  
Meeting Transcript

March 2020



THE CITY OF SAN DIEGO

Date of Notice: July 12, 2016

# **PUBLIC NOTICE OF THE PREPARATION OF A ENVIRONMENTAL IMPACT REPORT AND SCOPING MEETING**

**DEVELOPMENT SERVICES DEPARTMENT**

SAP No. 24006554

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**PUBLIC NOTICE:** The City of San Diego as the Lead Agency has determined that the project described below will require the preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA). This Notice of Preparation of a project EIR and Scoping Meeting was publicly noticed and distributed on July 12, 2016. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and placed on the City of San Diego website at: <http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml> under the "California Environmental Quality Act (CEQA) Notices & Documents" section. In addition, the Public Notice was also distributed to the Central Library as well as the University City Community and North University Branch Libraries.

**SCOPING MEETING:** A public scoping meeting will be held by the City of San Diego's Development Services Department on **July 28, 2016, beginning at 5:30 PM and running no later than 7:30 PM at the Costa Verde Center Hi Neighborhood Room, located at 8650 Genesee Avenue, San Diego, CA 92122. Please note that depending on the number of attendees, the meeting could end earlier than 7:30 PM.** Verbal and written comments regarding the scope and alternatives of the proposed EIR will be accepted at the meeting.

Written comments may be sent to the following address: **E. Shearer-Nguyen, Environmental Planner, City of San Diego Development Services Department, 1222 First Avenue, MS 501, San Diego, CA 92101** or submitted via e-mail to [DSDEAS@sandiego.gov](mailto:DSDEAS@sandiego.gov) with the Project Name and Number in the subject line within 30 days of the receipt of this notice. Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding. An EIR incorporating public input will then be prepared and distributed for the public to review and comment.

**GENERAL PROJECT INFORMATION:**

- **PROJECT NAME / NUMBER:** COSTA VERDE REVITALIZATION PROJECT / 477943
- **COMMUNITY AREA:** University
- **COUNCIL DISTRICT:** 1

**DESCRIPTION:** The project proposes a GENERAL PLAN AMENDMENT (GPA), COMMUNITY PLAN AMENDMENT (CPA) and SPECIFIC PLAN AMENDMENT (SPA) to the University Community Plan (UCP) and Costa Verde Specific Plan to increase neighborhood and community commercial use development intensity by 125,000 square feet and redesignate one acre from Neighborhood and Community Commercial to Visitor Commercial, a SITE DEVELOPMENT PERMIT (SDP), and a PLANNED DEVELOPMENT PERMIT (PDP) to Amend PDP No. 90-1109 for the reconfiguration and expansion (to add approximately 125,000 square feet of commercial retail space, a 200-room hotel, and up to 120

multi-family dwelling units) to an existing 178,000 square-foot shopping center to be developed in phases. More specifically, approximately 138,000 square feet of existing commercial retail space would be demolished (while 40,000 square feet would remain) and subsequent construction of 263,000 square feet of commercial retail space for a total of 303,000 square feet of commercial retail. Also proposed is a 10-story, 200-room hotel comprised of approximately 102,000 square feet to be located on the northernmost portion of the site. Additionally, a mixed-use residential component would be incorporated as a future project phase and consist of up to 120 multi-family units within a 100-foot-tall building in the southwestern corner of the site. Various site improvements would also be constructed that include associated utilities, internal circulation and access, hardscape (surface parking, driveways, and walkways) retaining walls, and landscape. The developed 13.2-acre project site is located west of Genesee Avenue between La Jolla Village Drive and Nobel Drive. The parcel is designated neighborhood and community commercial uses within the Costa Verde Specific Plan and the University Community Plan. In addition, the project site is located within the Urban Node of the Central Subarea, which is intended to be developed as a mixed-use core, with a residential density of up to 75 dwelling units per acre. The site is within the RS-1-14 Zone as well as the Affordable Housing Parking Demand Overlay Zone (Medium), the Airport Land Use Compatibility Overlay Zone (Marine Corps Aviation Station [MCAS] Miramar), the Airport Influence Area (Review Area 2 - MCAS Miramar), the Airport Federal Aviation Administration (FAA) Part 77 Noticing Area (MCAS Miramar), the Community Plan Implementation Overlay Zone (CPIOZ-A), the 300-foot Fire Brush Buffer Overlay Zone, the Very High Fire Hazard Severity Overlay Zone, the Outdoor Lighting Overlay Zone (Lighting Zone 3 - Medium), the Parking Impact Overlay Zone (PIOZ - Campus Impact Area), and the Residential Tandem Parking Overlay Zone. **The site is not included on any Government Code listing of hazardous waste sites.**

**APPLICANT:** Regency Centers L.P. / I.D.E.A. Partners, LLC

**RECOMMENDED FINDING:** Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: Land Use, Transportation/Circulation, Air Quality, Energy, Geologic Conditions, Greenhouse Gas Emissions, Hydrology, Noise, Paleontological Resources, Public Services and Facilities, Public Utilities, Visual Effects/Neighborhood Character, Water Quality, and Cumulative Effects.

**AVAILABILITY IN ALTERNATIVE FORMAT:** To request this Notice or the City's Scoping Letter to the applicant detailing the required scope of work in alternative format, call the Development Services Department at (619) 446-5460 (800) 735-2929 (TEXT TELEPHONE).

**ADDITIONAL INFORMATION:** For environmental review information, contact Elizabeth Shearer-Nguyen at (619) 446-5369. The Scoping Letter and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Fifth floor of the Development Services Department. **For information regarding public meetings/hearings on this project, contact the Project Manager, Glenn Gargas at (619) 446-5142.** This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on July 12, 2016.

**DISTRIBUTION:** See Attached

**ATTACHMENTS:** Figure 1: Regional Map  
Figure 2: Vicinity Map  
Figure 3: Site Plan  
Scoping Letter



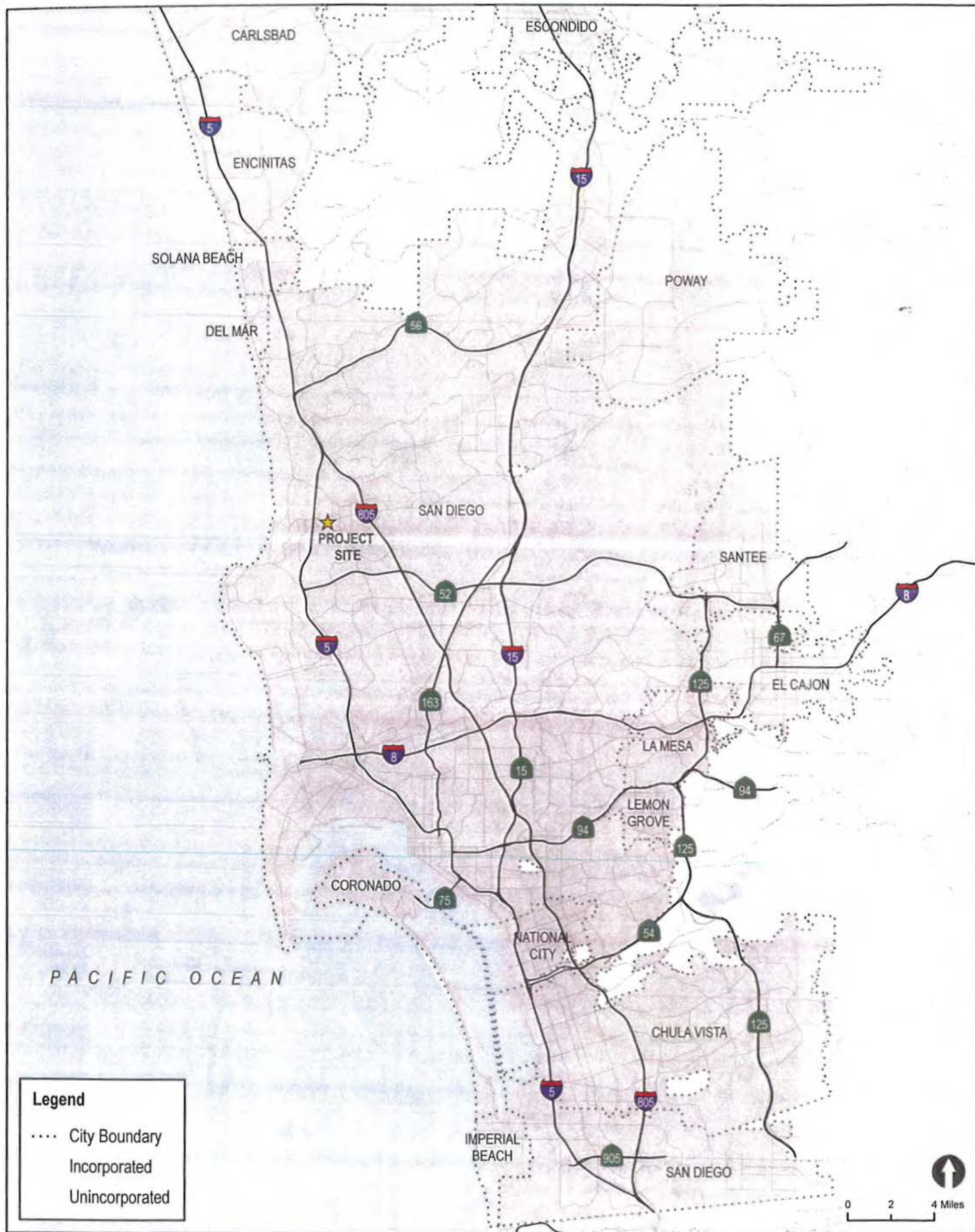


Figure 1

Regional Map





I:\PROJECT\SOURCE\CE-03\_CostaVerde\Map\Notes\Fig.2\_Vicinity\_GIS.mxd BCE-03 04/25/16-RK

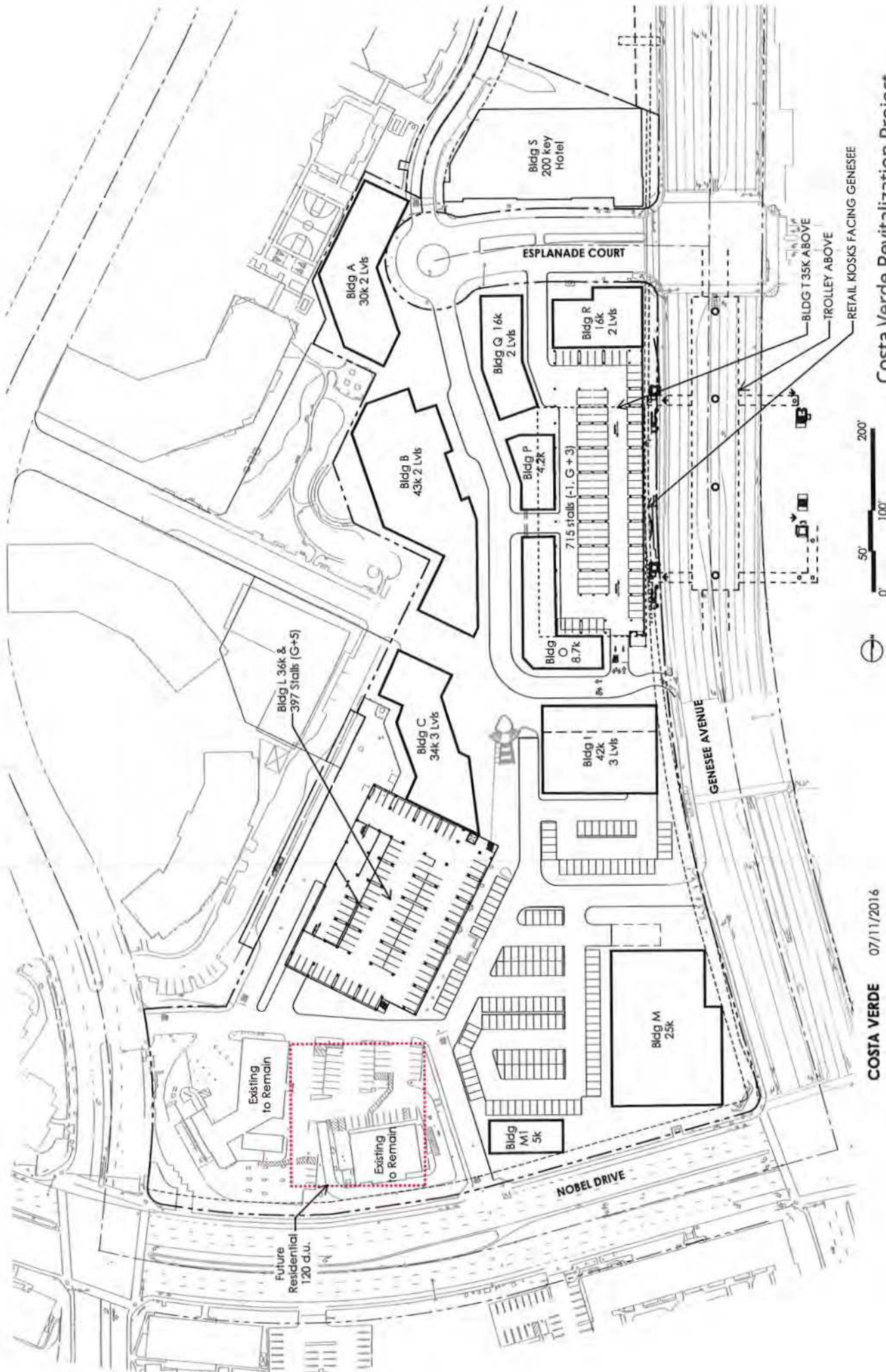
## Project Vicinity

COSTA VERDE CENTER REVITALIZATION PROJECT

Figure 2







COSTA VERDE 07/11/2016

# Costa Verde Revitalization Project

Figure 3 - Site Plan



Distribution:

FEDERAL GOVERNMENT

Commanding General MCAS Miramar Air Station (13)

STATE OF CALIFORNIA

CALTRANS District 11 (31)

State Clearinghouse (46A)

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Transportation Development - DSD (78)

Development Coordination (78A)

Fire and Life Safety Services (79)

Library Department - Government Documents (81)

Central Library (81A)

University City Community Branch Library (81JJ)

North University Branch Library (81KK)

OTHER INTERESTED INDIVIDUALS/GROUPS

San Diego Association of Government (108)

San Diego Regional Airport Authority (110)

Metropolitan Transit System (112)

Metropolitan Transit Systems (115)

San Diego Natural History Museum (166)

University City Community Planning Group (480)

Editor, Guardian (481)

Brad Werdick, UCSD Physical & Community Planning (482)

University City Community Association (486)

OTHER INTERESTED INDIVIDUALS/GROUPS - CONTINUED

Friends of Rose Canyon (487)

La Jolla Village Community Council (489)

Chamber of Commerce (492)

David Malmuth, I.D.E.A. Partners, LLC

Pete Garcia, I.D.E.A. Partners, LLC

Andrea Bitterling, HELIX Environmental Planning, Inc., Consultant



July 11, 2016

John Murphy, Vice President  
Regency Centers  
420 Stevens Avenue, Suite 320  
Solana Beach, CA 92075

Subject: **Scope of Work for an Environmental Impact Report for the Costa Verde Center Revitalization Project (Project Tracking System No. 477943)**

Dear Mr. Murphy:

Pursuant to Section 15060(d) of the California Environmental Quality Act (CEQA), the environmental review staff of the Development Services Department of the City of San Diego has determined that the proposed project may have significant effects on the environment, and the preparation of an Environmental Impact Report (EIR) is required. Staff has determined that a project EIR is the appropriate environmental document for the Costa Verde Center Revitalization Project (project).

The purpose of this letter is to identify the issues to be specifically addressed in the EIR. The EIR shall be prepared in accordance with the City's "Technical Report and Environmental Impact Report Guidelines," (updated December 2005). A copy of the current guidelines is attached.

A Notice of Preparation (NOP) will be distributed to the Responsible Agencies and others who may have an interest in the project as required by CEQA Guidelines Section 15082. CEQA Guidelines Section 21083.9(a)(2) requires scoping meetings for projects that may have statewide, regional, or area-wide environmental impacts. The City's environmental review staff has determined that this project meets this threshold. A public scoping meeting has been scheduled for July 28, from 5:30 PM to 7:30 PM at the Costa Verde Center Hi Neighborhood Room, located at 8650 Genesee Avenue, San Diego, CA 92122. Please note that, depending upon the number of attendees, the meeting could end earlier than 7:30 PM.

Changes or additions to the scope of work may be required as a result of input received in response to the NOP and Scoping Meeting. In addition, the applicant may need to adjust the project over time through the discretionary review process, and these changes would be disclosed in the EIR under the section "History of Project Changes" and accounted for in the EIR impact analysis to the extent required by CEQA.

Each section and issue area of the EIR shall provide a descriptive analysis of the proposed project followed by a comprehensive evaluation. The EIR shall also include sufficient graphics and tables, which, in conjunction with the relevant narrative discussions, provide a complete and meaningful description of all major project features, the environmental impacts of the project, as well as cumulative impacts, mitigation of significant impacts, and alternatives to the project.

## **PROJECT DESCRIPTION**

### ***Discretionary Approvals***

Proposed discretionary actions include a General Plan Amendment (GPA), Community Plan Amendment (CPA) to the University Community Plan (UCP), a Specific Plan Amendment (SPA) to the Costa Verde Specific Plan (CVSP), a Site Development Permit (SDP), and a Planned Development Permit (PDP) to Amend PDP No. 90-1109 to add approximately 125,000 square feet (sf) of commercial retail space, a 200-room hotel, and up to 120 multi-family dwelling units to the land use and development intensity designated for the project site. The SDP is required because the project proposes development requiring a land use approval within the Airport Land Use Compatibility Overlay Zone.

### ***Location of Project***

Costa Verde Center is an existing neighborhood/community-serving shopping center located west of Genesee Avenue between La Jolla Village Drive and Nobel Drive in the University City community of the City of San Diego. The shopping center is located on a 13.2-acre site and is comprised of a gross floor area of approximately 178,000 sf of commercial retail space along with associated parking. The shopping center, which was constructed in 1989, currently has more than 30 tenants, including retail businesses, restaurants, fitness and service facilities, a grocery store, a dry cleaners, banks, an optometrist office, and a gas station.

The project site is located within the UCP area, as well as the CVSP area, which both designate the project site for neighborhood and community commercial uses. The UCP area is divided into four major subareas, and the project site is located within the Urban Node of the Central Subarea. The Urban Node is intended to be developed as a mixed-use core with a relatively high residential density of up to 75 dwelling units per acre.

Surrounding uses include a senior housing facility and multi-family residential uses to the west, multi-family residential uses to the south, a surface parking lot and the approved Monte Verde residential project currently under construction to the north, and the Westfield UTC regional shopping center to the east.

### ***Project Description***

The project entails the reconfiguration and expansion of the existing shopping center to create a neighborhood hub that provides community gathering spaces, additional retail shops and restaurants, and neighborhood services. The project proposes to re-designate an approximately one-acre portion of the project site to Visitor Commercial to reintroduce a hotel use to the CVSP area and increase the development intensity of commercial retail uses by approximately 125,000 sf



for a total of approximately 303,000 sf. of the existing commercial retail space, approximately 40,000 sf would remain and be incorporated into the reconfigured center, while approximately 138,000 sf would be demolished. A total of approximately 263,000 sf of new commercial retail space would be constructed as part of the project. Restaurants, shared co-working office space, and commercial retail space would be distributed among a total of 14 new and existing buildings that would be one to three stories. The maximum height of commercial structures other than the hotel would be 65 feet, while the hotel would have a maximum height of 150 feet.

The 200-room hotel would serve residents, visitors and the community's research, business, and educational hub. It would encompass approximately 102,000 sf and be 10 stories in the northernmost portion of the site. South of the hotel, a "Main Street" would extend from a gateway entry at Genesee Avenue and Esplanade Court to a roundabout and a central thoroughfare. This thoroughfare would be lined with retail and restaurant buildings, an outdoor living room, civic plaza, pedestrian walkways, decorative planters, landscaping, and accent paving. Other amenities would include a rooftop park, rooftop community gardens, a community meeting room, and direct connections to the planned Mid-Coast Trolley Station and off-site community facilities and uses. A secondary access point would be provided along Genesee Avenue that would connect to the central thoroughfare.

A staircase and elevators would extend from the civic plaza to the lower-elevation, southern portion of the site. This area would include essential neighborhood services, such as a grocery store, pharmacy, and banks. Landscaping, sidewalks, and a large surface parking lot would also be provided. Additionally, a mixed-use residential component would be incorporated as a future project phase. This would consist of up to 120 multi-family units within a 100-foot-tall building in the southwestern corner of the site. The primary access to the southern portion of the site would be provided from Nobel Drive, with secondary access points from Genesee Avenue and Costa Verde Boulevard.

The proposed project is anticipated to be developed in phases.

### ***Community Facilities***

The project would include several community facilities to provide opportunities for recreation, gathering, and social interaction. A privately owned and maintained community park open to the public would be provided on the roof of a proposed building southwest of the Genesee Avenue/ Esplanade Court intersection. The park terrace would include a large landscape area, a central plaza, lounge seating, dining areas, a gaming area, café, and a shade structure. A community garden would be provided on the roof of a building west of the main street and would include raised planters and a potting and composting area. On the street level along the main street, an outdoor living room with lounge seating would be provided. A large civic plaza would be provided at the southwestern corner of the main street that would accommodate outdoor events, dining, and gathering under a signature shade structure. Additionally, a community room would be provided for public and private functions.

### ***Parking***

The proposed project would remove 746 parking spaces and add 1,270 new parking spaces, for a total of 1,353 on-site parking spaces serving the retail uses. Parking facilities would include multi-level parking garages (extending above and beneath the site) and surface lots. In addition, a roadway would be constructed from the proposed roundabout at Esplanade Court to connect to a portion of the adjacent existing surface parking lot to the north; 139 parking spaces in this off-site parking lot would remain available for use for the retail. In total, 1,492 parking spaces would be available for use by Costa Verde retail patrons. Additional parking to serve the hotel and future residential uses would be incorporated into those structures.

### ***Circulation/Access***

Vehicular access to the project site would be provided from Genesee Avenue, Nobel Drive, and Costa Verde Boulevard. The main project access would be provided from a gateway entry at the signalized intersection of Genesee Avenue and Esplanade Court. A roundabout would be constructed at the terminus of Esplanade Court and the central thoroughfare would extend from the roundabout. This central thoroughfare would extend in a north-south alignment and then connect to a secondary unsignalized access point (limited to right-turn in and out) on Genesee Avenue. Another access road would extend from the roundabout to connect with the surface parking lot to the immediate north. Vehicular access to the southern portion of the site would be provided from three access drives: one along Genesee Avenue, one along Nobel Drive, and one along Costa Verde Boulevard. These access drives would connect to parking areas. A north-south connection through the site and to surrounding roadways would continue to be provided, but would be routed through a proposed parking garage.

Pedestrian circulation would be provided throughout the site by a network of sidewalks, pathways, plazas, and public spaces. These pedestrian facilities would provide convenient connections between the proposed uses within the project, and would connect to existing sidewalks along Genesee Avenue, Nobel Drive, Costa Verde Boulevard, and Las Palmas Square. Access to the planned Mid-Coast Trolley Station elevated above Genesee Avenue would be provided with stairs, elevators, and pedestrian bridges. This, in turn, would provide an additional pedestrian connection to the UTC regional shopping center and UTC Transit Station across Genesee Avenue. Pedestrian connections to Las Palmas Square and the existing adjacent pocket park to the west of the site would also be provided, to enhance connectivity of residences to the west with the Costa Verde Center, Mid-Coast Trolley Station, and UTC Transit Station.

In addition, a bicycle route would be provided along internal roadways that would connect to existing bicycle lanes along Genesee Avenue and Nobel Drive. Bicycle access to the Mid-Coast Trolley Station and UTC Transit Station also would be provided. Bicycle lockers and parking would be provided on site to support bicycle circulation.

### ***Landscape and Hardscape Treatments***

The project would include landscaping throughout the project site, including along the proposed roadways, access drives, plazas, community facilities, parking lots, and streetscapes. The proposed landscape palette includes a variety of a canopy and accent trees, accent and ornamental shrubs, and groundcovers to provide a unified theme throughout the site.



Proposed hardscape treatments would include decorative pavers, enhanced concrete finishes, and natural stone accents. Furnishings would include benches, planters, tables, chairs, architectural trellises, decorative bollards, shade structures, art sculptures, string lights, and covered dining areas. Signage would be provided at the main project entries off Genesee Avenue and Nobel Avenue and within the site.

### ***Utilities***

Utility services would be provided through construction of pipelines/extensions from existing utility infrastructure on site and within surrounding roadways. Existing sewer extensions from Genesee Avenue that currently serve the site would be upsized.

### ***Sustainable Design Features***

The project would entail construction of retail, neighborhood uses, and community facilities within an urbanized area with direct access to existing and planned transit and other community facilities. In addition, residential uses may be constructed on site in a future phase. Provision of a compact, walkable, mixed-use development with pedestrian and bicycle amenities, as well as direct access to transit would promote the reduction of vehicle trips and associated energy consumption and air pollutant emissions. The project would also incorporate sustainable design features, including installation of electrical vehicle charging stations, rooftop community gardens (including raised planters and a potting and composting area), reuse of collected rainwater for irrigation, use of artificial turf, implementation of a recycling plan, and the use of energy-efficient lighting fixtures.

### ***Grading and Construction***

Approximately 11 acres of the 13.2-acre site would be graded. Site grading would require a total of approximately 77,000 cubic yards of cut and approximately 61,000 cubic yards of fill, resulting in a net export quantity of approximately 16,000 cubic yards to be discharged to a legal disposal site. The maximum cut depth would be approximately 15 feet and the maximum fill depth would be approximately 20 feet. Construction of a number of retaining walls would be required on site, with the total distance estimated at approximately 320 linear feet at a maximum height of 6 feet.

## **EIR FORMAT/CONTENT REQUIREMENTS**

The EIR serves to inform governmental agencies and the public of a project's environmental impacts. Emphasis in the EIR must be on identifying feasible solutions to environmental impacts. The objective is not to simply describe and document an impact, but to actively create and suggest mitigation measures or project alternatives to substantially reduce the significant adverse environmental impacts. The adequacy of the EIR will depend greatly on the thoroughness of this effort.

The EIR must be written in an objective, clear, and concise manner, in plain language. Each section/issue area of the EIR should provide a descriptive analysis of the project followed by a comprehensive evaluation of the issue area. The use of graphics and tables are encouraged to replace extensive word descriptions and to assist in clarification. **Please place all figures at the end of each individual chapter.** Conclusions must be supported with quantitative, as well as

qualitative, information to the extent feasible. **The entire environmental document is required to be left justified and written in Open Sans, 10 font.**

I. CERTIFICATION

Prior to the distribution of the draft EIR for public review, Certification pages, which are attached at the front of the draft EIR, will be prepared and provided by EAS to the consultant.

II. TITLE PAGE

The EIR shall include a Title Page that includes the project name, Project Tracking System (PTS) number, State Clearinghouse (SCH) number, and the date of publication. **Please do NOT include any applicant or consultant company logos or names.**

III. TABLE OF CONTENTS

The Table of Contents must list all sections included in the EIR, as well as the Appendices, Tables, and Figures. Immediately following the Table of Contents, a list of acronyms and abbreviations utilized in the text must be provided.

IV. EXECUTIVE SUMMARY

The consultant will prepare the Executive Summary to be submitted for review with the last screencheck draft EIR, unless otherwise determined. The Executive Summary shall have an independent numbering system (e.g., S-1, S-2). In general, the Executive Summary shall reflect the EIR outline, but need not contain every element of the EIR. At a minimum, the Executive Summary must include a brief project description; impacts determined to be significant (including cumulative); impacts found to be less than significant; alternatives; areas of controversy; and lastly a matrix listing the impacts and mitigation. Please refer to the Environmental Impact Report Guidelines (2005) for further detailed information.

V. INTRODUCTION

The EIR shall introduce the project with a brief discussion on the intended use and purpose of the EIR. This discussion shall focus on the type of analysis that the EIR is providing and provide an explanation of why it is necessary to implement the project. This section shall describe and/or incorporate by reference any previously certified environmental documents that cover the project site including any EIRs. This section shall briefly describe areas where the project is in compliance or non-compliance with assumptions and mitigation contained in these previously certified documents. Additionally, this section shall provide a brief description of any other local, state, and federal agencies that may be involved in the project review and/or any grant approvals.

VI. ENVIRONMENTAL SETTING

The EIR shall describe the precise location of the project site with an emphasis on the physical features of the sites and the surrounding area and present it on a detailed topographic map and a regional map. Provide a local and regional description of the environmental setting of the project, as well as any adjacent land uses, area topography, drainage characteristics, and vegetation. Describe any upcoming changes to the area and any cumulative changes that may relate to the project site. Include the existing and planned land uses in the vicinity, on-and off-site resources, the community plan area land use designation(s), existing zoning, all utility easements and any required maintenance access, and any overlay zones within this section. Include any applicable land use plans/overlay zones that affect the project site, such as the city of San Diego's Multiple Species Conservation Program (MSCP)/Multi-Habitat Planning Area (MHPA), environmentally sensitive lands such as steep hillsides, wetlands, and the Federal Emergency Management Agency (FEMA) 100 year floodplains and/or floodways that intersect with the project components. Provide a recent aerial photo of the project site and surrounding uses, and clearly identify the project location.

VII. PROJECT DESCRIPTION

The EIR shall include a detailed discussion of the goals and objectives of the project, in terms of public benefit (increase in housing supply, employment centers, etc.). Project objectives will be critical in determining the appropriate alternatives for the project, which would avoid or substantially reduce potentially significant impacts. As stated in CEQA Guidelines Section 15124(b), "A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and aid the decision makers in adopting findings and/or a statement of overriding considerations, if necessary. The statement of objectives shall include the underlying purpose of the project."

This section shall describe all discretionary actions needed to implement the project (e.g. General Plan Amendment, Community Plan Amendment, Planned Development Permit, Tentative Map, etc.) including all permits required from federal, state, and local agencies. If other agencies have responsibility for approvals or project review, describe this involvement. The description of the project shall include all major project features, including density, grading (cut and fill), relocation of existing facilities, land use, retaining walls, landscaping, drainage design, improvement plans, including any off-site improvements, vehicular access points and parking areas associated with the project. The project description shall describe any off-site activities necessary to construct the project. The EIR shall include sufficient graphics and tables to provide a complete description of all major project features. Project phasing also should be described in this section. This discussion shall address the whole of the project.



#### VIII. HISTORY OF PROJECT CHANGES

This section of the EIR shall outline the history of the project and any physical changes that have been made to the project in response to environmental concerns identified during the review of the project (i.e. in response to NOP or public scoping meetings or during the public review period for the draft EIR).

#### IX. ENVIRONMENTAL IMPACT ANALYSIS

The potential for significant environmental impacts must be thoroughly analyzed and mitigation measures identified that would avoid or substantially lessen any significant impacts. The City of San Diego is the Lead Agency for this project, and therefore the EIR must represent the independent analyses of the Lead Agency. Accordingly, all impact analysis must be based on the City's "Significance Determination Thresholds" (January 2011) unless otherwise directed by the City. Below are key environmental issue areas that have been identified for this project, within which the issue statements must be addressed individually.

Discussion of each issue statement shall include an explanation of the existing project site conditions, impact analysis, significance determination, and appropriate mitigation. The impact analysis shall address potential direct, indirect, and cumulative impacts that could be created through implementation of the project and its alternatives. Lastly, the EIR should summarize each required technical study or survey report within each respective issue section, and all requested technical reports must be included as the appendices to the EIR and summarized in the text of the document.

In each environmental issue section, mitigation measures to avoid or substantially lessen impacts must be clearly identified and discussed. The ultimate outcome after mitigation shall also be discussed (i.e., significant but mitigated, significant and unmitigated). If other potentially significant issue areas arise during the detailed environmental investigation of the project, consultation with Development Services Department is required to determine if these areas need to be added to the EIR. As supplementary information is required, the EIR may also need to be expanded.

##### **Land Use**

- Issue 1: Would the project result in an inconsistency/conflict with the environmental goals, objectives, or guidelines of the General/Community Plan in which it is located?**
- Issue 2: Would the project require a deviation or variance, and the deviation or variance would in turn result in a physical impact on the environment?**
- Issue 3: Would the project result in land uses which are not compatible with an adopted Airport Land Use Compatibility Plan (ALUCP)?**

**Issue 4: Would the project result in the exposure of people to current or future noise levels, which exceed standards established in the Noise Element of the General Plan or an adopted Airport Land Use Compatibility Plan (ALUCP)?**

The project site is designated Neighborhood Commercial and Community Commercial in the UCP and would require a GPA and a CPA to re-designate an approximately one-acre portion of the site for Visitor Commercial to accommodate the proposed hotel and change the land use and development intensity for the project site to include an additional 125,000-sf of commercial retail space, a 200-room hotel, and up to 120 multi-family dwelling units. The underlying zoning designation for the project site is RS-1-14 and overlay zones include the Airport Land Use Compatibility, Community Plan Implementation (A), Parking Impact, and Residential Tandem Parking. However, the Costa Verde Specific Plan constitutes zoning for the site and establishes land uses and development guidelines that are implemented through the Planned Development Permit process. The project would require a UCP Community Plan Amendment, Costa Verde Specific Plan Amendment, a Planned Development Permit Amendment, and a Site Development Permit. Additionally there will be associated ministerial permits that may include, but are not limited to, grading and building permits.

This section shall provide a discussion of all applicable land use plans to establish a context in which the project is being proposed. Specifically, it shall discuss how the project implements the goals, objectives, and recommendations of the General Plan (including all applicable elements), the University Community Plan, Costa Verde Specific Plan, and Land Development Code. If the project is found to be inconsistent with any adopted land use plans, the EIR shall disclose this information if the inconsistency would result in potentially significant physical impacts.

The section shall provide a listing of all requested deviation(s)/variance(s). For each requested deviation or variance, provide analysis on whether the requested action would then result in a physical impact on the environment.

The project site is within the Airport Land Use Compatibility Overlay Zone (Marine Corps Air Station Miramar), Airport Influence Area (Marine Corps Air Station Miramar, Review Area 2). The site is also located with the Federal Aviation Administration (FAA) Part 77 Notification Area due to its location near Marine Corps Air Station Miramar. An acoustical technical report shall be prepared for the project that would include an evaluation with regards to the adopted MCAS Miramar Airport Land Use Compatibility Plan, the City's Noise Ordinance, and the Noise Compatibility Guidelines (Table NE-3) in the Noise Element of the General Plan.

**Transportation/Circulation**

**Issue 1: Would the project result in traffic generation in excess of specific community plan allocation?**

**Issue 2: Would the project result in an increase in projected traffic which is substantial in relation to the existing traffic load and capacity of the street system?**

**Issue 3: Would the project result in the addition of a substantial amount of traffic to a congested freeway segment, interchange, or ramp?**

**Issue 4: Would the project result in a substantial impact upon existing or planned transportation systems?**

**Issue 5: Would the project result in an increase in traffic hazards for motor vehicles, bicyclists, or pedestrians due to a proposed, non-standard design feature (e.g., poor sight distance or driveway onto an access-restricted roadway)?**

**Issue 6: Would the project result in a conflict with adopted policies, plans, or programs supporting alternative transportation modes (e.g., bus turnouts, bicycle racks)?**

Implementation of the proposed project would increase existing and future traffic volumes and has the potential to result in direct and/or cumulative traffic impacts on the surrounding circulation network. Therefore, a traffic study must be prepared for this project consistent with the City's Traffic Impact Study Manual, to the satisfaction of the City Engineer, analyzing the traffic characteristics of the project. The traffic study shall analyze the expected trips from the project and document any impacts on intersections, roadways, and freeways. The traffic study shall include descriptions and graphics of the conditions during existing, near-term, and at project buildout.

This EIR section shall summarize the traffic study. This section shall describe modifications and/or improvements to the existing circulation system, including City streets, intersections, freeways, and interchanges required as a result of the project. The EIR shall present mitigation measures that are required to reduce potentially significant impacts identified in the traffic study and discuss if those measures will mitigate impacts to below a level of significance. An evaluation of the project's cumulative traffic impacts shall also be conducted, incorporating past, present, and reasonably foreseeable future developments or redevelopment in the community. Potential impacts associated with project construction shall also be discussed.

This section shall also address the project's walkability, pedestrian linkages, bicycle connectivity, and transit opportunities, taking into consideration applicable General and Community Plan policies that encourage alternative travel modes.



### **Air Quality**

- Issue 1: Would the project conflict with or obstruct implementation of the applicable air quality plan?**
- Issue 2: Would the project result in a violation of any air quality standard or contribute substantially to an existing or projected air quality violation?**
- Issue 3: Would the proposal result in cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**
- Issue 4: Would the project expose sensitive receptors to substantial pollutant concentrations?**
- Issue 5: Would the proposal exceed 100 pounds per day of Particulate Matter (PM) (dust)?**
- Issue 6: Would the proposal create objectionable odors affecting a substantial number of people?**

An air quality study shall be prepared to discuss the project's impact on the ability of the San Diego Air Basin (SDAB) to meet regional air quality strategies. The EIR section and technical report shall discuss both the potential stationary and non-stationary (i.e., vehicular) air emission sources associated with construction and operation of the proposed project.

The section shall describe the project's climatological setting within the SDAB and the SDAB's current attainment levels for State and Federal Ambient Air Quality Standards. The section and technical report shall include estimates of total-generated air pollutant emissions, a discussion of potential dust generation during construction, evaluation of the potential for carbon monoxide hot spots (if significant impacts at nearby intersections are identified in the traffic report), and any proposed emissions reduction design features or dust suppression measures that would avoid or lessen emissions or dust-related impacts to sensitive receptors within the area. The air quality study shall take into consideration the potential for criteria pollutant emissions generated from the project, as well as toxic air contaminants. Proposed mitigation measures shall be identified, if applicable.

### **Energy**

- Issue 1: Would construction and operation of the project result in the use of excessive amounts or electrical power?**
- Issue 2: Would the project result in the use of excessive amounts of fuel or other forms of energy (including natural gas, oil, etc.)?**

Appendix F of the State CEQA Guidelines requires that potentially significant energy implications of a project shall be considered in an EIR to the extent relevant and applicable to the project. Particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy shall be included in this section. The EIR shall address the estimated energy use for the project and assess whether the project would generate a demand for energy (electricity and/or natural gas) that would exceed the planned capacity of the energy suppliers. A description of any energy and/or water saving project features shall also be included in this section (with cross-references to the GHG emissions discussion, as appropriate). This section shall describe any proposed measures included as part of the project that would conserve energy and reduce energy consumption, and shall address all applicable issues described within Appendix F of the CEQA Guidelines.

### **Geologic Conditions**

**Issue 1: Would the project be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

**Issue 2: Would the project result in a substantial increase in wind or water erosion of soils, either on or off the site?**

**Issue 3: Would the project expose people or structures to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?**

A geotechnical study shall be prepared for the proposed project. The results of the geotechnical study will be summarized in the EIR. The technical report and EIR shall discuss the potential for either short- or long-term erosion impacts to soils on-site. Geological constraints on the project site, including groundshaking, ground failure, landslides, erosion, ground water, and geologic instability shall be addressed, as well as seismicity and seismic hazards created by faults present in the project vicinity.

### **Greenhouse Gas Emissions**

**Issue 1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Issue 2: Would the project conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?**

This section shall present an overview of greenhouse gas (GHG) emissions, including the most recent information regarding the current understanding of the mechanisms behind current conditions and trends, and the broad environmental issue related to global climate change. A discussion of current legislation, plans, policies, and programs pertinent to global

climate change shall also be included. The EIR shall provide details of the project's sustainable features that meet the criteria outlined in the Conservation Element of the General Plan and the Climate Action Plan Consistency Checklist.

### **Hydrology**

**Issue 1: Would the proposal result in an increase in impervious surfaces and associated increased runoff?**

**Issue 2: Would the proposal result in a substantial alteration to on- and off-site drainage patterns due to changes in runoff flow rates or volumes?**

Hydrology deals with the properties, distribution, and circulation of surface water, groundwater, and atmospheric water. The quantity of water which flows in a creek or river is calculated based on historic climatic conditions combined with the watershed characteristics. The slope and shape of the watershed, soil properties, recharge area, and relief features are all watershed characteristics, which influence the quantity of surface flows. Therefore, as land is developed, impervious area is increased, thereby increasing runoff.

The EIR shall evaluate if the proposed project would have a potential for increasing runoff rates and volumes within the proposed project area. Anticipated changes to existing drainage patterns, runoff rates and volumes, and groundwater recharge rates in the proposed project area shall be addressed in the EIR. A preliminary hydrology and hydraulics study shall be provided and measures to protect on-site and downstream properties from increased runoff, erosion, or siltation must be identified; this study shall be included in the appendices of the EIR. The EIR shall address the potential for project implementation to impact the hydrologic conditions within and downstream of the project area.

### **Noise**

**Issue 1: Would the project result in or create a significant increase in the existing ambient noise levels?**

**Issue 2: Would the proposal result in the exposure of people noise levels created by the project which exceed the City's adopted noise ordinance and/or City's Significance Determination Thresholds?**

An acoustical analysis, prepared in accordance with the City's "Acoustical Report Guidelines," is required to determine what, if any, impacts would occur due to project implementation. The report must determine if the project has the potential to create significant noise impacts. Additionally, the noise report shall evaluate the project's consistency with the General Plan Noise Element. If there is a potential for proposed uses to be incompatible with exterior noise levels at outdoor amenities or interior areas, measures must be included as project design features in order to ensure consistency with the General Plan Noise Element



(i.e., setbacks, use of double-paned glass, noise walls/berms, and other noise attenuation techniques). The analysis shall consist of a comparison of the change in noise levels projected along affected roadways (as identified in the traffic study) resulting from project implementation. Include tables within the noise study, which show the existing and future noise levels of dB(A) and any increased noise levels over dB(A) in 3 dB(A) increments along affected roads.

The analysis shall discuss how the project would conform to the City of San Diego Municipal Code Noise and Abatement Control Ordinance §59.5.01 and the General Plan. Additionally, construction noise may impact surrounding uses and the EIR shall include a discussion regarding this potential impact.

### **Paleontological Resources**

**Issue 1: Would the project require over 1,000 cubic yards of excavation in a high resource potential geologic deposit/formation/rock unit, or over 2,000 cubic yards of excavation in a moderate resource potential geologic deposit/formation/rock unit?**

The EIR shall include a paleontological resources discussion that identifies the underlying formation(s) and the likelihood of uncovering paleontological resources during grading activities. The EIR shall identify the depth of cut (in feet) and amount of grading (in cubic yards) that would result from any grading activities. The City's thresholds for monitoring include grading depths of 10 feet or more and excavation of 1,000 or 2,000 cubic yards depending on the respective moderate or high sensitivity of the formational soils on-site. If the proposed development would impact fossil formations possessing moderate to high potential for significant resources, specific conditions (monitoring and curation) would be required to mitigate impacts to a level below significance.

### **Public Services and Facilities**

**Issue 1: Would the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas: police protection, fire/life safety protection, libraries, parks or other recreational facilities, or maintenance of public facilities including roads and/or schools?**

The EIR shall describe the public services currently available to serve the project site, and discuss any intensification of land use and if it would lead to increased demand on existing and planned public services and facilities. The EIR shall include a discussion of potential impacts to public services and facilities resulting from implementation of the project. The EIR shall include a summary of applicable regulations and analyses of potential short-term and long-term impacts of the proposed project. The EIR shall identify any conflicts with existing infrastructure, evaluate any need for upgrading infrastructure, and demonstrate that facilities would have sufficient capacity to serve the needs of the project. This section shall discuss any intensification of land use and land use changes associated with the proposed

project to determine if it would increase demand on existing and planned public services and facilities, and identify fire and police facilities in each community. This section shall also disclose the Fire and Police Departments' current response time to the area. Appendix G of the CEQA Guidelines asks whether a project would result in substantial adverse physical impacts from the construction or alteration of facilities needed to maintain acceptable service ratios, response times, or other performance objectives for any of the public services. Thus, the focus of the evaluation of impacts must be on the physical effects of constructing or altering public facilities.

### **Public Utilities**

**Issue 1: Would the project result in a need for new systems, or require substantial alterations to existing utilities, the construction of which would create physical impacts with regard to the following utilities: water, sewer, and solid waste disposal?**

**Issue 2: Would the project result in the use of excessive amounts of water?**

**Issue 3: Does the project propose landscaping which is predominantly non-drought resistant vegetation?**

The proposed project would increase the demand on essential public utilities (electrical, natural gas, solar energy, solid waste generation/disposal, water, and sewer) and may require new or expanded infrastructure. This section of the EIR shall analyze the demand and supply relationships of various public utilities and discuss how the project would comply with local, state, and federal regulations for each public utility and identify any conflicts with existing and planned infrastructure.

A Waste Management Plan (WMP) must be prepared and approved by the City's Environmental Services Department that would address solid waste disposal impacts (construction and operational). The EIR shall discuss how this project would contribute cumulatively to the region's solid waste facility capacity and summarize the findings of the WMP.

Sewer and/or water pipeline studies shall be performed to determine if appropriate sewer/water facilities are available to serve the development. The analysis and conclusions of the studies shall be included in the EIR.

In regards to water usage, the project requires a Water Supply Assessment (WSA) in accordance with the requirements of Senate Bill (SB) 610 and SB 221 to determine if adequate water supplies are available within the City to serve the project. The analysis and conclusion of the WSA shall be included in the EIR.

### **Visual Effects and Neighborhood Character**

**Issue 1: Would the project result in a substantial obstruction of any vista or scenic view from a public viewing area as identified in the community plan?**

**Issue 2: Would the proposal create a negative aesthetic site or project?**

**Issue 3: Would the project's bulk, scale, materials, or style be incompatible with surrounding development?**

**Issue 4: Would the project result in substantial alteration to the existing or planned character of the area?**

**Issue 5: Would the project result in substantial light or glare which would adversely affect daytime or nighttime views in the area?**

The EIR shall provide an evaluation of the visual quality/neighborhood character changes due to the proposed project, including an evaluation of consistency with policies protecting scenic resources in the project vicinity. The analysis shall address how project development will appear to viewers from adjacent roadways and from public viewing areas in the project vicinity.

This section of the EIR shall include a description and analysis of the building mass, bulk, height, architectural style, and other development features that would result from the project and associated compatibility with the existing and planned character of the area. The EIR shall also analyze the use of materials that could emit or reflect a significant amount of light or glare and any potential effect on nearby aviation uses. Renderings, cross sections, and/or visual simulations of the project shall be incorporated into the EIR section when possible.

### **Water Quality**

**Issue 1: Would the project result in an increase in pollutant discharge to receiving waters during or following construction? Would the proposal discharge identified pollutants to an already impaired water body?**

**Issue 2: What short-term and long-term effects would the proposal have on local and regional water quality? What types of pre- and post-construction Best Management Practices (BMPs) would be incorporated into the proposal to preclude impacts to local and regional water quality?**

Water Quality is affected by sedimentation caused by erosion, by urban run-off carrying contaminants, and by direct discharge of pollutants (point-source pollution). As land is developed or redeveloped, the impervious surfaces could send an increased volume of



runoff containing oils, heavy metals, pesticides, fertilizers, and other contaminants (non-source pollution) into associated watersheds. Sedimentation can impede stream flow. Degradation of water quality could impact human health as well as wildlife systems. Sedimentation can cause impediments to stream flow. In addition, oxygen availability is affected by sedimentation, which can significantly influence aquatic and riparian habitats. Compliance with the City's Storm Water Standards is generally considered to preclude water quality impacts. The Storm Water Standards are available online.

Discuss the project's effect on water quality within the project area and downstream. If the project requires treatment control Best Management Practices (BMPs), submit a Water Quality Technical Report (WQTR) consistent with the City's Storm Water Standards. The report must describe how source control and site design have been incorporated into the project, the selection and calculations regarding the numeric sizing treatment standards, BMP maintenance schedules and maintenance costs, and the responsible party for future maintenance and associated costs. The report must also address water quality, by describing the types of pollutants that would be generated during post construction, the pollutants to be captured and treated by the BMPs. The findings in this report must be reflected within this section of the EIR. Based on the analysis and conclusions of the WQTR, the EIR shall disclose how the project would comply with local, state, and federal regulations and standards.

X. SIGNIFICANT ENVIRONMENTAL EFFECTS WHICH CANNOT BE AVOIDED IF THE PROPOSED PROJECT IS IMPLEMENTED

This section shall discuss the significant unavoidable impacts of the project, including those significant impacts that can be mitigated but not reduced to below a level of significance. Discuss impacts that cannot be reduced to below a level of significance in spite of the applicant's willingness to implement all feasible mitigation measures. Please do not include analysis. State which impacts (if any) cannot be alleviated without imposing an alternative design or location. In such cases, describe why the project has been proposed in spite of the probable significant effects. See CEQA Guidelines Section 15126.2(b).

XI. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

In accordance with CEQA Guidelines Section 15126.2(c), the EIR shall include a discussion of any significant irreversible environmental changes which would be caused by the action should it be implemented. This section shall address the use of nonrenewable resources during the construction and life of the project. See CEQA Guidelines Section 15127 for limitations on the requirements for this discussion.

XII. GROWTH INDUCEMENT

The EIR shall address the potential for growth inducement through implementation of the project. The EIR shall discuss the ways in which the project (1) is directly and indirectly growth inducing (i.e., fostering economic or population growth by land use changes,

construction of additional housing, etc.); and (2) if the subsequent consequences (i.e., impacts to existing infrastructure, requirement of new facilities, roadways, etc.) of the growth inducing project would create a significant and/or unavoidable impact, and provide for mitigation or avoidance. Accelerated growth could further strain existing community facilities or encourage activities that could significantly affect the environment. This section need not conclude that growth-inducing impacts (if any) are significant unless the project would induce substantial growth or concentration of population.

### XIII. CUMULATIVE IMPACTS

In accordance with CEQA Guidelines Section 15130, potential cumulative impacts shall be discussed in a separate section of the EIR. This section shall include existing and pending development proposals within the project area, including those undergoing review with the Development Services Department, as well as recent past and reasonably foreseeable future developments and redevelopments in the community. The discussion shall address the potential cumulative effects related to each environmental resources area that should be discussed in the EIR as outlined above.

The EIR shall summarize the overall short-term and long-term impacts this project could have in relation to other planned and proposed projects. When this project is considered with other past, present, and reasonably foreseeable probable future projects within close proximity, address whether the project would result in significant environmental changes that are individually limited but cumulatively considerable. If incremental impacts do not rise to the level of cumulatively significant, the draft EIR shall make a statement to that effect.

### XIV. EFFECTS FOUND NOT TO BE SIGNIFICANT

A separate section of the EIR shall include a brief discussion of why certain areas were not considered to be potentially significant and were therefore not included in the EIR. For the Costa Verde Center Revitalization project, these include agricultural and forestry resources, biological resources, hazards and hazardous materials, historical resources, mineral resources, population and housing, and recreation. If issues related to these areas or other potentially significant issues areas arise during the detailed environmental investigation of the project, consultation with the Environmental Analysis Section (EAS) of the Land Development Review Division is recommended to determine if subsequent issue area discussions need to be added to the EIR. Additionally, as supplementary information is submitted (such as with the technical reports), the EIR may need to be expanded to include these or other additional areas.

### XV. ALTERNATIVES

The EIR shall place major attention on reasonable alternatives that avoid or reduce the project's significant environmental impacts while still achieving the stated project objectives. Therefore, a discussion of the project's objectives shall be included in this section. The

alternatives shall be identified and discussed in detail and shall address all significant impacts. Refer to Section 15364 of the CEQA Guidelines for the CEQA definition of "feasible."

This section shall provide a meaningful evaluation, analysis, and comparison of alternatives' impacts to those of the project (matrix format recommended). These alternatives shall be identified and discussed in detail and shall address all significant impacts. The alternatives analysis shall be conducted with sufficient graphics, narrative, and detail to clearly assess the relative level of impacts and feasibility. Issues to consider when assessing "feasibility" are site suitability, economic viability, availability of infrastructure, General Plan consistency, other regulatory limitations, jurisdictional boundaries and the applicant's control over alternative sites (own, ability to purchase, etc.). The advantages and disadvantages of each alternative will be compared to the proposed project and reasons for rejecting or recommending the alternative will be discussed in the EIR.

Preceding the detailed alternatives analysis, provide a section entitled "Alternatives Considered but Rejected." This section shall include a discussion of preliminary alternatives that were considered but not analyzed in detail. The reasons for rejection must be explained in detail and demonstrated to the public the analytical route followed in rejecting certain alternatives.

#### **No Project Alternative**

The No Project Alternative discussion shall compare the environmental effects of approving the project with impacts of not approving the project. In accordance with CEQA Guidelines Section 15126.6(e)(3)(B), the No Project Alternative shall discuss the existing conditions at the time of the NOP, as well as what would be reasonably expected to occur in the foreseeable future if the proposed project is not approved, based on current zoning, land use designations, and available infrastructure. The No Project Alternative assumes no construction associated with the proposed project, with future development occurring consistent with the existing land use. The intent of this alternative is to satisfy CEQA's requirement to address development of the project in accordance with any approved plans or existing zoning.

#### **Other Project Alternatives**

In addition to a No Project Alternative, the EIR shall consider other alternatives that are determined through the environmental review process that would mitigate potentially significant environmental impacts. These alternatives must be discussed and/or defined with EAS staff prior to including them in the EIR.

The Alternatives section of the EIR shall be based on a description of "reasonable" project alternatives, which reduce or avoid potentially significant impacts associated with the proposed project. Site-specific alternatives, if needed, shall be developed in response to the findings of the environmental analyses and the various technical studies and may include alternative project design to mitigate one or more of the identified significant adverse



impacts of the proposed project. This may include a reduction in land use intensity, alternative land use plan(s) or feasible design scenarios.

If any of the technical reports prepared for the proposed project show significant impacts as a result of project buildout, a Reduced Development Alternative that reduces those impacts shall be presented within the EIR. The Applicant shall work with City staff to determine the development area and intensity that should be considered in this alternative.

If, through the environmental analysis, other alternatives become apparent that would mitigate potential impacts, these shall be discussed with EAS staff prior to including them in the draft EIR. It is important to emphasize that the alternatives section of the EIR shall constitute a major part of the report. The timely processing of the environmental review will likely be dependent on the thoroughness of effort exhibited in the alternative analysis.

XVI. MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation measures shall be clearly identified and discussed and their effectiveness assessed in each issue section of the EIR. A Mitigation, Monitoring, and Reporting Program (MMRP) for each issue area with significant impacts is mandatory and projected effectiveness must be assessed (i.e., all or some CEQA impacts would be reduced to below a level of significance, etc.). At a minimum, the MMRP shall identify: (1) the department responsible for the monitoring; (2) the monitoring and reporting schedule; and (3) the completion requirements. In addition, mitigation measures and the monitoring and reporting program for each impact shall also be contained (verbatim) to be included within the EIR in a separate section and a duplicate separate copy (Word version) must also be provided to EAS.

XVII. REFERENCES

Material must be reasonably accessible. Use the most up-to-date possible and reference source documents.

XVIII. INDIVIDUALS AND AGENCIES CONSULTED

List those consulted in preparation of the EIR, including City and consulting staff members, titles, and affiliations. Seek out parties who would normally be expected to be a responsible agency or have an interest in the project.

XIX. APPENDICES

Include the NOP, scoping meeting transcript, and comments received regarding the NOP and Scoping Letter. Include all accepted technical studies.

## CONCLUSION

If other potentially significant issue areas arise during detailed environmental investigation of the project, consultation with EAS staff is required to determine if these other areas need to be addressed in the EIR. Should the project description be revised, an additional scope of work may be required. Furthermore, as the project design progresses and supplementary information becomes available, the EIR may need to be expanded to include additional issue areas.

It is important to note that timely processing of your project will be contingent in large part on your selection of a well-qualified consultant. Prior to starting work on the EIR, a meeting between the consultant and EAS will be required to discuss and clarify the scope of work. Until the screencheck for the draft EIR is submitted, which addresses all of the above issues, the environmental processing timeline will be held in abeyance. Should you have any questions regarding this letter or the environmental process, please contact the environmental analyst, Elizabeth Shearer-Nguyen at (619) 446-5369; for general questions regarding project processing and/or the project, contact Glenn Gargas, Project Manager at (619) 446-5142.

Sincerely,



*for* Kerry M. Santoro  
Deputy Director  
Development Services Department

KMS/les

cc: Elizabeth Shearer-Nguyen, Land Development Review Division  
Environmental Project File  
Glenn Gargas, Project Management Division  
David Malmuth, I.D.E.A. Partners, LLC  
Pete Garcia, I.D.E.A. Partners, LLC  
Andrea Bitterling, HELIX Environmental Planning, Inc., Consultant

Ms. Shearer-Nguyen

August 9, 2016

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Any work performed within Caltrans Right of Way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts with the Caltrans' R/W, and any corresponding technical studies. Please see Section 600 of the Encroachment Permits Manual for requirements regarding utilities and state R/W:

[http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter\\_6.pdf](http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter_6.pdf)

If you have any questions, or require further information, please contact Kimberly Dodson, at (619) 688-2510 or email at [Kimberly.dodson@dot.ca.gov](mailto:Kimberly.dodson@dot.ca.gov).

Sincerely,

A handwritten signature in blue ink that reads "Kimberly Dodson for". The signature is fluid and cursive.

JACOB M. ARMSTRONG, Chief  
Development Review Branch



## NATIVE AMERICAN HERITAGE COMMISSION

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July 20, 2016

Elizabeth Shearer-Nguyen  
City of San Diego  
1222 First Avenue, MS-501  
San Diego, CA 92101

sent via e-mail:  
DSDEAS@SanDiego.gov

RE: SCH# 2016071031; Costa Verde Revitalization Project, draft Environmental Impact Report, San Diego County, California

Dear Ms. Shearer-Nguyen:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

**CEQA was amended significantly in 2014.** Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

**AB 52**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
  - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
  - a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.

- ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)). *This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation: There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>



## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov).

Sincerely,



Gayle Totton, M.A., PhD.  
Associate Governmental Program Analyst

cc: State Clearinghouse



401 B Street, Suite 800  
San Diego, CA 92101-4231  
(619) 699-1900  
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sandag.org

August 10, 2016

File Number 3300300

Ms. Elizabeth Shearer-Nguyen  
City of San Diego  
Development Services Department  
1222 First Avenue, Mail Station 201  
San Diego, CA 92101

MEMBER AGENCIES

Cities of  
Carlsbad  
Chula Vista  
Coronado  
Del Mar  
El Cajon  
Encinitas  
Escondido  
Imperial Beach  
La Mesa  
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Poway  
San Diego  
San Marcos  
Santee  
Solana Beach  
Vista  
and  
County of San Diego

ADVISORY MEMBERS

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Transit District  
United States  
Department of Defense  
San Diego  
Unified Port District  
San Diego County  
Water Authority  
Southern California  
Tribal Chairmen's Association  
Mexico

Dear Ms. Shearer-Nguyen:

SUBJECT: Costa Verde Revitalization Project (Project No. 477943)

Thank you for the opportunity to comment on the Costa Verde Revitalization Project Notice of Preparation (NOP). The San Diego Association of Governments (SANDAG) appreciates the City of San Diego's efforts to implement the policies included in San Diego Forward: The Regional Plan (Regional Plan) that emphasize the need for better land use and transportation coordination. These policies will help provide people with more travel and housing choices, protect the environment, create healthy communities, and stimulate economic growth. SANDAG's comments are based on policies included in the Regional Plan and are submitted from a regional perspective.

**Smart Growth**

SANDAG appreciates that the City of San Diego has prioritized transit-oriented development and land use changes in the project area that support both the goals of the update as well as the Smart Growth Concept Map and Regional Plan. A key goal of the Regional Plan is to focus growth in smart growth opportunity areas. This project is located in an Existing/Planned Urban Center, a Smart Growth Opportunity Area identified on the Smart Growth Concept Map. The proposed project is currently well-served by a number of high-frequency local bus routes (Routes 30, 41, 50, and 150), as well as *Rapid* services (Routes 201, 202, 204, and 237). Please include the following planned routes/services in the plan documents and facilitate access to these services:

- Trolley service (Routes 510 (Mid-Coast), 561 (University Town Center to Sorrento Mesa), and 562 (San Ysidro to Carmel Valley Purple Line))
- *Rapid* service (Routes 30, 41, 473, 689, and 870)
  - Route 30, currently a high-frequency local bus service, will be transitioned to a *Rapid* service
- High-frequency local bus service (Routes 34, 101, and 921)

## **Transportation Demand Management**

When preparing the Environmental Impact Report for the Costa Verde Revitalization Project, please consider integrating additional transportation demand management (TDM) strategies, which could serve as mitigation measures to assist with reducing single-occupancy vehicle trips to and from the project area, while encouraging alternative travel modes. Examples of TDM strategies could include:

- Provision and promotion of shared mobility services (e.g., carshare, bikeshare, on-demand rideshare) to reduce reliance on private automobiles, reduce demand for parking, and improve circulation within and around the development.
- Implement reduced parking requirements, given the close proximity to transit services, coupled with shared parking strategies for both hotel and residential uses. Additional parking management strategies could include unbundled parking, priced parking, parking cash-out, and priority parking for carpools, vanpools, and carshare vehicles.
- Offer subsidized transit passes to employees and residents to encourage Mid-Coast Trolley ridership and other connecting transit services.
- Provide transit pass sales on-site.
- Offer bike amenities for employees to complement proposed bike parking options, such as showers, lockers, and bike repair stands.
- Transportation kiosks that display real-time information about regional transit services and TDM programs.
- Transportation coordinator(s) to manage and monitor TDM programs for employees and residents.

Other regional TDM programs, such as the SANDAG Vanpool Program, online ridematching, multi-modal trip planning, and the Guaranteed Ride Home Program, can be promoted to residents, employees, and visitors to assist with reducing traffic congestion. Information on these programs can be accessed through [iCommuteSD.com](http://iCommuteSD.com), and the SANDAG TDM division can assist with integration of these measures as part of this project.

## **Other Considerations**

SANDAG has a number of resources that can be used as plans are updated or as resources for additional information or clarification on topics discussed in this letter. These can be found on our website at [sandag.org/igr](http://sandag.org/igr):

1. SANDAG Regional Parking Management Toolbox
2. Riding to 2050, the San Diego Regional Bike Plan
3. Regional Multimodal Transportation Analysis: Alternative Approaches for Preparing Multimodal Transportation Analysis in Environmental Impact Reports



4. Planning and Designing for Pedestrians, Model Guidelines for the San Diego Region
5. Trip Generation for Smart Growth
6. Parking Strategies for Smart Growth
7. Designing for Smart Growth, Creating Great Places in the San Diego Region

When available, please send any additional environmental documents related to this project to:

Intergovernmental Review  
c/o SANDAG  
401 B Street, Suite 800  
San Diego, CA 92101

We appreciate the opportunity to comment on the Costa Verde Revitalization Project NOP. If you have any questions, please contact me at (619) 699-1943 or via email at [susan.baldwin@sandag.org](mailto:susan.baldwin@sandag.org).

Sincerely,

A handwritten signature in black ink that reads "Susan B. Baldwin". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

SUSAN B. BALDWIN, AICP  
Senior Regional Planner

SBA/KHE/kcu

## **REVIEW OF COSTA VERDE CENTER(CVC) Entitlement Plans**

As part of the Vi Management and Resident Committee review of the CVC Entitlement plans dated March 15, 2016, I have the following comments and improvement suggestions based on information presented to date. These comments are meant to be constructive. Some of this information has been previously shared with the UCPG. However, this update realigns some of my previous comments with respect to the meeting of July 28, 2016.

It is my opinion that the CVC Revitalization Project is fundamentally correct in its approach to upgrade the present and dated Costa Verde Shopping Center. The new project will help to adapt to an updated Westfield Shopping Center by evening out the aged disparity between the two projects. Also, I believe it is critical in making sure that the revitalization is successful. The CVC Revitalization project will enhance the entire neighborhood, the Trolley connection and the low, mid and high rise developments in the area.

### **Vi Easement:**

The Vi Easement is shown being used for grade level parking. On Sheet 21 of 51, Section 1C, a structural roof is shown over the parking area designated for 33 cars. This information is absent on all of the other drawing documents. Can an Easement have a physical structure, such as a roof over the grade? Depending on the language of the Property Easement, it is debatable whether anything can be done to this area other than what is presently existing. Obviously more discussion is needed. Until such time as a negotiated plan is resolved, parking for 33 cars remains in doubt.

In this same area a pedestrian bridge access is shown from the easterly Vi drive over to Garage Bld'g. L. The Vi has indicated that the bridge access to the Garage is not warranted at this time.

Potentially it would cause unwanted pedestrian traffic and security issues for the Vi's east entries.

### **Residential Tower:**

Sheets 45, 46, and 47, show a future seven story 120 unit residential apartment structure at the McDonalds area of the site. This was not mentioned at the April 5, meeting. A residential complex would grossly affect the commercial /shopping and neighborhood gathering environment and bend it toward a select neighborhood environment. The Project Narrative describes a surrounding neighborhood environment, which actually exists by housing that borders on Nobel, Costa Verde Blvd., Condo Towers to the North of the Vi, a Boutique Hotel to the north of the Esplanade, and housing on La Jolla Village Drive. The need for additional housing on the CVC site is unwarranted, taints the original community concept, robs the already small site of needed breathing room for neighborhood ancillary retail, commercial, etc., and is in conflict with the Project Narrative. In short, it would be residential over kill, and a blight on the CVC.

### **Monte Verde Parking:**

Parking noted as 'Monte Verde Stalls' off the shopping mall site to the north may be in conflict with code required parking, which code would indicate should be encompassed within the 576,200 SF CVC site.

### **Esplanade Drive Entry and cul-de-sac:**

Traffic off Genesee entering Esplanade Drive and free to continue around southerly between the retail configuration seems counter to pedestrian safety and neighborhood use of the mall. Maintaining the cul de sac makes sense as it allows drop off at the Boutique Hotel and access to the north end of the site. Emergency vehicles, etc. Kiosk and display potential would be possible and potentially the retail portion on the east side of the mall could be extended slightly westward. Traffic on Main Street is akin to having a

driveway through the middle of the Westfield shopping mall, or the mall at Horton Plaza. The design presented has elevated this argument by its unique character of Main Street and its resemblance to the prior mentioned malls. There is no need to ruin it by having automobiles circuit needlessly. And the dozen or so parking spaces on Main Street are not justification. Of course ,emergency vehicle movement may be a necessity.

### **Siting of Building L:**

Building L, Parking Garage, is too close to the entry from Costa Verde Blvd. This southerly area should be softened by a gradation of building heights and textures housing retail and or food establishments. This would create a Main Street at the lower neighborhood area similar to the upper Main Street area. The Costa Verde Blvd. pedestrian entry needs to be friendly to the neighborhood, and be an expression of activity as it wends its way to the super market/bank and adjacent retail running northward. The lost parking may be able to be mitigated if the lower level parking extends to meet the existing underground parking, providing that existing Bristol Farms, retail and restaurant square footage can be vacated efficiently to adapt to parking.

### **Parking Garage, Building L:**

The Garage should be roofed with a solid west wall facing the Vi, and should be design enhanced making an attractive edifice. The height of the garage should be minimized if possible. Perhaps the parking garage could have its ground floor at the level of the existing westerly drive. A roof on the garage would mitigate automobile noise, headlight glare and exhaust fumes to some extent, but there are objections to carbon monoxide so adequate control of this problem would be necessary to deal with community concerns from the Vi. Roof top design could be an option to mitigate the blocky mass of the Garage. Unification of the ground floor parking area would seem to make better sense as it would provide more options for ingress and egress.



### **Walkway From Costa Verde Blvd:**

A major concern of integrating the community with the CVC from Costa Verde Blvd. is the entry walkway. It needs to be joined with retail, food, establishments and gathering places as mentioned above in siting Bldg. L. Also, a continuous path to the Super market/bank complex needs to be integrated along with the parking, to make it a safe pedestrian flow. Holding back and sliding Building L to the north would allow retail commercial activities, softening the walkway in from Costa Verde Blvd., in a manner similar to Main Street.

### **Boutique Hotel:**

Without seeing the build out plans of the towers to the north, it is difficult to comprehend just how the Boutique Hotel fits in, but it does seem to end the Costa Verde Center in a encompassing manner forming a back drop to Main Street, and it does lend itself to the height scale of the Trolley on Genesee Ave. Certainly the scale of everything changes with the Trolley and Westfield's build out. Without understanding the entire street front of Westfield's complex, it would seem that the balancing out of the two centers is critical in that the buying public recognize that to go either way from the Trolley for example, is interesting, and beneficial.

### **Services:**

Not much has been mentioned or shown to indicate how services are to be managed as part of the revitalized plan. Upcoming reviews need to address this aspect of the development as services can affect the adjacent community in regards to noise, time of service, and workability of planned development.

Gerald Bischoff  
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San Diego, CA 92122  
cgbischoff1236@gmail.com



**Friends of Rose Canyon**  
PO Box 221051, San Diego, CA 92192-1051  
858-597-0220 \* [rosecanyon@san.rr.com](mailto:rosecanyon@san.rr.com)

August 23, 2016

E. Shearer-Nguyen, Environmental Planner  
City of San Diego Development Services Department  
1222 First Avenue, MS 501  
San Diego, CA 92101

Submitted via email: [DSDEAS@san.diego.gov](mailto:DSDEAS@san.diego.gov)

Re: Costa Verde Revitalization Project/477943

Dear Ms. Shearer-Nguyen,C  
Friends of Rose Canyon submits the following Scoping comments.

Friends of Rose Canyon works to protect, preserve and restore Rose Canyon and the Rose Creek watershed. Development in the University Community Plan area impacts Rose Canyon and the Rose Creek watershed.

We oppose the large increase in development entitlement proposed for this Project. We are particularly concerned in light of the many other projects already approved but not yet built on the east and west sides of Genesee Avenue between Nobel and La Jolla Village Drive. These projects include: Westfield's doubling of retail square footage at the UTC mall plus a 22 storey residential building; Monte Verde's four high rise residential towers; a new transit center on the east side of Genesee Avenue directly across from the Project; and the elevated Mid-Coast trolley line down the middle of Genesee, with the terminal station just south of Esplanade Court. The EIR should address the cumulative impacts of the Project with these other projects (including Land Use, Community Character, Noise and Visual, Stormwater, Population-based parks). Furthermore, the EIR needs to address all aspects of the Project in the context of all these other approved but not yet built projects.

We also have major concerns about the multiple community plan amendments in recent years that have increased development intensity in our community plan area without any increase in protected open space (including permanent protection of the MHPA lands) and parkland (which provides environmental as well as recreational benefits). Increasing the amount of protected open space and parkland is vital to protecting our watersheds, wildlife habitat and wildlife corridors, clean air, visual and aesthetic experiences, and recreational and educational opportunities for those who live and work in this increasingly urbanized area. Fully protecting our MHPA lands is

also vital to meeting the City's commitment to the MHPA. This proposed project tips the scale even further out of balance by increasing density without increasing the protection of open space and adding parkland in the University Community Plan area.

For analysis of the residential units, the EIR must evaluate the addition of population-based parkland.

### **Project Purpose and Objectives**

The Regency Centers Mission and History is stated online in its investor presentation: "Our mission is to be the preeminent grocery-anchored shopping center owner and developer."

We support Regency Centers sticking to its mission: to focus this Project on Neighborhood and Community Commercial uses. We urge them to drop the Hotel and the Residential components and to focus on the commercial retail aspects of this property, including an alternative with a reduced amount of commercial retail expansion. For reasons raised in these comments, we do not see justification for adding a hotel or residential or for the size of commercial/retail expansion proposed.

### **Reduced Alternatives**

The Costa Verde Center currently has approximately 178,000 sf of commercial retail space along with associated parking. This is the maximum current entitlement for this property. In 1998, Regency Centers chose to buy the property with this level of entitlement. Now they propose a massive increase in development rights: 125,000 additional sf of commercial retail (a 70% increase), plus a 200-room hotel, plus up to 120 multi-family dwelling units.

We strongly oppose including the residential units and a hotel as part of this project. We also oppose the size of the proposed increase for commercial square footage.

Given the many negative impacts of this massive proposed expansion, the EIR should study a number of alternatives that include a smaller amount of expansion.

Alternatives should include:

- No residential and no hotel and a reduced amount of increased commercial sf
- Proposed additional 125,000 sf of commercial with no hotel and no residential
- Reduced increase in commercial sf with reduced hotel (100 rooms) and no residential

### **Residential**

We strongly oppose the residential component of this project. It did not appear in the proposal presented to the UCPG or to the Planning Commission at the initiation hearing. The Project Proponent has told us that they added the residential at the suggestion of one of the Planning Commissioners. We find it unfortunate and

surprising that the Project proponents would expand the Project when the UCPG already opposed the size of the Project, especially the inclusion of a hotel.

Worse yet, rather than substitute the addition of residential development for a portion of what they had proposed to the UCPG and Planning Commission, the Project proponents instead added 120 multi-family units to their previous proposal. Thus a Project already opposed by the UCPG for its size became far larger.

Community Plan amendments have added hundreds of additional residential units to the UC Plan area. Five high-rise residential towers have been approved for this immediate area and not even built yet (Westfield and Monte Verde). Hundreds more residential units were added via plan amendments for La Jolla Crossroads I and II. Each of these additional residential projects has been added piecemeal and none included additional population-based parkland.

City staff has calculated the need for .6 acre of usable parkland to serve the proposed new residential development. This should be new parkland.

We urge the City not to add additional residential development until the Community Plan is updated with consideration of all the issues related to the increased number of residents in the plan area, including population-based parks.

### **Hotel**

We strongly oppose any hotel. As stated by the UCPG Chair at the Planning Commission hearing, the immediate area has numerous hotels. In addition, the larger UTC/La Jolla area has many hotels. The Project proposes a large increase in development entitlement even without the inclusion of the hotel.

The hotel has been presented as a “Boutique Hotel” to the UCPG, to the UCPG subcommittee, and in the “Executive Summary for the Proposed Costa Verde Hotel”, prepared by PKF Consulting and provided to the UCPG subcommittee (p. 1-1).

“**Boutique hotel** is a term used initially in North America and the United Kingdom to describe small hotels which have typically between 10 and 100 rooms in unique settings with upscale accommodations.” (Wikipedia)

“What are boutique hotels? They’re small, artsy and young in spirit” (<http://luxurytravel.about.com/od/hotelandresorts/tp/What-Are-Boutique-Hotels.htm>) This article discusses the trend for every hotel to call itself a boutique hotel, and lists what actually distinguishes a boutique hotel. Intimate in size – 10 to 100 rooms – is number one.

Yet the Project’s proposed “boutique” hotel is 200 rooms and 10 stories. This is not a boutique hotel. Thus the Project description does not match the definition of a boutique hotel. The Project has simply joined the trend of every hotel to call itself a “boutique hotel” as a sales pitch.



At the most recent UCPG subcommittee meeting, the Project Proponents provided a different (and opposite) pitch for the hotel: they suggested it would be a place where Millennials could stay for \$99/night, a less-expensive alternative to other nearby hotels. This is the opposite of the boutique hotel the Project actually proposes. PFK Consulting's analysis for the proposed Boutique Hotel gives a projected average daily rate of \$221 in 2021, rising by 2025 to \$249. (Moreover, as one of the younger members of the UCPG Sub-committee members commented, Millennials are likely to use Airbnb.)

The EIR should evaluate a hotel of 100 rooms to match the proposed purpose of the hotel. This would also reduce the Community Character and size and scale issues raised later in our comments.

### **Circulation/Access - Access by bicycle**

Friends of Rose Canyon strongly supports increased biking and a reduced reliance on the automobile. Unfortunately, the Project proposes a large increase in traffic trips in the area with no increase in bikeability.

P. 4 of the EIR Scope of Work states: "... a bicycle route would be provided along internal roadways that would connect to existing bicycle lanes along Genesee Avenue and Nobel Drive."

An internal bicycle route is close to meaningless in this situation, given that the project is located in a highly un-bikeable area. The Project is bounded by roads where biking is difficult and dangerous, with heavy traffic and few bike lanes. Nearby blocks are no better. The limited "bike lanes" that exist are simply a line on the street where there is high, often fast, traffic – and those lines often vanish for long distances as the bike lanes become turn lanes.

The EIR needs to acknowledge that having bicycle "amenities" on site will do little to increase bicycling given how unbikeable the area around the project is.

The EIR should analyze the bikeability of the immediate and nearby streets. For example:

- Costa Verde Blvd, which extends from Nobel to LJ Village Drive, and provides access to the site from the west side, has no bike lanes.

- Cargill Ave has no bike lanes.

- Genesee both NB and SB has only intermittent bike lanes and high traffic. Those bike lanes that do exist are simply a line on the street. For significant distances, due to turn lanes, the bike lanes are interrupted by dashed lines or no line at all. For example, the west side of Genesee SB from the entrance to Costa Verde's Bristol Farms parking lot

all the way to Nobel WB has no bike lane, and the entire distance is used as a right turn lane for traffic). On Genesee SB between Nobel and Decoro, there is no bike lane at all due to on-street parking.

- Nobel Drive east of Genesee has no bike lanes. Nobel from Genesee to Costa Verde Blvd. has intermittent bike lanes, which disappear due to turn lanes for significant distances. On Nobel from Costa Verde Blvd. to Regents, there are intermittent bike lanes - on the north side of Nobel east of Regents there is a long turn lane that has no bike lane. On Nobel west of Regents to Danica Mae Drive on the north side of Nobel there is no bike lane.

- Regents north and south of Nobel has no bike lanes.

- Esplanade Way has no bike lanes.

- La Jolla Village Drive has no bike lanes.

In short, the EIR needs to disclose that the Project's proposed bike amenities will do nothing to actually improve the area's bikeability.

### **Traffic and Parking**

Friends of Rose Canyon strongly supports reduced reliance on the automobile. The EIR needs to fully evaluate both the traffic and parking aspects of the proposed Project – and of various Reduced Project Alternatives.

The Project offers as a selling point that it is “transit oriented development”. One would expect, therefore, that it would need significantly reduced parking ratios (a major benefit of transit-oriented development being that it reduces traffic trips). Yet the Project proposes a large increase in parking. At a UCPG subcommittee meeting, the Project Proponents stated they needed to provide a lot of parking in order to be able to lease out the space to commercial tenants. This is clear evidence that the Project expects their commercial tenants to rely on an automobile dependent business model. At another UCPG subcommittee meeting, the Project Proponents stated the City required the large number of proposed parking spaces and they could not do anything about the City's requirements.

The Project Proponent's Retail Analysis analyzes the number of potential customers who are local employees within an 8-12 minute drive. This emphasizes the fact that contrary to all the Project's walkable/bikeable/transit-oriented development claims, the nuts and bolts economic analysis is based on customers driving to the site.

In “Eisenhower Parking Policies No Longer Work for San Francisco”, an editorial in Streetsblog California, 8/22/16, Tom Radulovich, President of the BART Board and Executive Director of Livable City, states: “The research concluded that “available parking is perhaps the single biggest factor in people's decision to drive.”

The EIR should study both the trip generation for the Project (and various Reduced Project Alternatives), what the relationship is between trip generation and parking needs, and a reduced amount of parking.

The EIR also needs to study how the Project will manage parking. UTC will soon begin managing parking, probably requiring validation for up to 2 hours of free parking. If parking at Costa Verde is not managed, some UTC visitors may well park at Costa Verde in order to bypass the need for validation at UTC (in fact, this may well happen in fall 2017 when portions of the UTC expansion open). In addition, any parking in the UC Plan area that is not managed is used by UCSD students, who all have transit passes. They drive to the area, park for free at any available location, and hop the Superloop rather than pay to park on campus. This situation will become even more common once the trolley is in operation. Will the Project charge for parking? Will it use a validation system? How will this impact the commercial retail usage?

### **Walkability and Human Scale**

The EIR needs to evaluate the Project's Visual Effects and Neighborhood Character impacts.

We applaud the language the Project uses regarding a neighborhood feel, and the buzzword "main street." However, the hotel and residential aspects of this project contradict the tenets of these concepts.

The Project purports to be "walkable" and even includes a "main street" area. Yet it proposes a 10-storey hotel that would be 150' high and a residential complex 100' tall. The maximum height of the commercial structures other than the hotel would be 65'.

In an article entitled "Remembering the Human Scale in Walkable City Neighborhoods", F. Kaid (Senior Counsel for Environmental Strategies, PlaceMakers LLC) writes: "The great Danish architect and walkability guru Jan Gehl would likely conclude that the building heights shown in the two photos are about right to optimize the pedestrian experience. After extensive study of how humans behave in different kinds of environments, Gehl has concluded that the most comfortable building height for urban pedestrians is between 12.5 and 25 meters, or about three to six stories." ([http://www.huffingtonpost.com/f-kaid-benfield/remembering-the-human-scale\\_b\\_5938516.html](http://www.huffingtonpost.com/f-kaid-benfield/remembering-the-human-scale_b_5938516.html))

Converting meters to feet, we get a height of 41' – 82' for the perception of "human scale". The project's commercial buildings (excluding the hotel), with a stated maximum of height of 65', fall in this range. The hotel at 150' is far above this range, and the residential complex, at 100', is also well above the high end of this range. It is not clear whether some of the commercial buildings would be less than 65' – certainly if they were, that would improve the sense of human scale that enhances "walkability."

To actually provide the “walkability” feel the Project purports to embody, no building should exceed 82’, the high end of the “human scale” range. This should apply as well to the hotel and residential buildings, if included in this project. This project is attempting to set itself apart from the surrounding high-rises and the UTC mall. By cramming so much development on its site, and adding buildings 100-150’ tall, the Project undercuts the very goals it claims to espouse.

The impact of the Project on Neighborhood Character along Genesee from Esplanade Court south to Nobel needs to be evaluated. Westfield has built a tall concrete parking garage immediately across the street just south of Esplanade; south of the parking garage is the large new transit center, which will have many buses coming and going. The elevated Mid-Coast trolley will include a large concrete structure down the middle of Genesee with large concrete supports and overhead tracks, platforms, and walkways connecting to the east and west side of the street immediately south of Esplanade Court. The Project proposes a parking garage plus some retail on the east of Genesee south of Esplanade. It appears Genesee would become a tall concrete jungle at this location, further reducing the walkability of the street. The EIR needs to assess how the Project would increase the major Visual and Community Character impacts already planned to occur along Genesee between Esplanade Court and Nobel (including impacts on biking, walking and driving). And it should evaluate how the Project’s large building in this area will add even further to the concrete tunnel Visual and Neighborhood Character impacts. (We understand, the City wants the Project to include retail at the street level along Genesee; the EIR needs to assess the viability of that given that Genesee may not be a pleasant walking experience).

### **Community Park**

The project states: “A privately owned and maintained community park open to the public would be provided on the roof of a proposed building southwest of the Genesee Avenue/Esplanade Court intersection. The park terrace would include a large landscape area, a central plaza, lounge seating, dining areas, a gaming area, café and a shade structure.”

The EIR needs to evaluate many aspects of this “Community Park” proposal, including:

- A clear description of this park is required: what is the square footage in total and of each of the areas (café, shade structure, gaming area, etc.).
- What is the distance from the trolley tracks, catenary poles and wires, and trolley vehicles (both inbound and outbound) to each of the various areas of this park?

This park will be adjacent to the elevated trolley tracks. The trolley line will cause major visual and noise issues for park users that need to be evaluated in the EIR. Potential impacts include the noise and visual impact of the tracks, catenary poles and wires, stations, and movement of the trolley vehicles (both inbound, while switching directions, and outbound). Analysis should include the fact that the trolley makes a harsh quacking noise when it is about to leave the station. Moreover, this is the end



station, so the trolley will continue a short distance past the platform, and then come back. Thus each trolley will be visible for an extensive period of time. The EIR should evaluate how attractive this park will be to hang out in given the noise and visual impact of the trolley. For example, would people want to hang out or play chess in an area that is a few steps removed from a trolley station platform?

The noise, air quality and visual impacts of Genesee Avenue traffic on park users should also be evaluated. This includes the many buses using the transit center (for which they will be driving, stopping, turning, and starting). This includes evaluating compatibility with the Noise Element of the General Plan.

The EIR also needs to analyze the noise impact from Miramar flights in addition to noise from the trolley and Genesee Avenue traffic.

The purpose of the park needs to be analyzed. Who would the users be? How many? What hours? The trolley is projected to have 7 minute headways from c. 5:30 am to c. 1 am by 2030. People will not have long wait times for the trolley – and they will want to be on the platform to before the trolley actually arrives. Would anyone choose to hang out in this park if they weren't using the trolley? What will park usage and security be when it is dark, as the trolley will operate many hours a day when it is dark.

As with much of this Project, the reality of this Community Park needs to be fully evaluated.

The Project also proposes a Rooftop Café and a Fitness Balcony adjacent to the Community Park. Similar to the impacts on the Community Park, the EIR needs to evaluate the noise and visual impacts of the trolley, traffic and planes on these facilities.

### **Parkland in the UC Plan**

In the current University Community Plan there is a significant existing population-based parkland deficit that was identified at the time the plan was approved in 1987. Since then, the city has approved numerous plan amendments that have added thousands of additional residents, with no increase in population-based parkland (including Westfield, Monte Verde, and La Jolla Crossroads I and II since 2000).

No additional residential development should be allowed without the addition of new population-based parkland. This should be public land, not privately owned areas that are touted as “public places” (such as at malls and commercial and retail areas). The Neighborhood Character of the community has already been undermined by adding so many additional residents without additional parkland.

The Project is proposing “public spaces.” These spaces are not a substitute for public parkland.

### **Hydrology and Water Quality**

The storm water and irrigation runoff from this Project will all flow directly into Rose Canyon. We understand the Project will need to comply with the new stormwater regulations. We look forward to reviewing the Hydrology and Water Quality studies.

### **Questionable need for a major increase in retail and commercial uses at this location given that across the street, the Westfield mall is doubling in size.**

The EIR needs to evaluate the Project's highly questionable claim that such a large expansion of retail as is proposed is needed in this location.

The Project's retail analysis contains a number of assumptions that are incorrect or perhaps out of date. It states there is only one other grocery store besides Bristol Farms within a one-mile radius and seven within two miles. According to Google maps, a number of those seven super markets appear to actually be very close to or within a one-mile distance. During its presentations to the UCPG subcommittee on its expansion, Westfield mentioned the possibility of a grocery store coming to the mall. An update on this should be included in the EIR.

The Retail Analysis Executive Summary only serves to underscore the large number of dining outlets in the surrounding area – and it is unclear whether the Jan. 2015 study includes current stats on the number of dining choices that now exist and are planned at the UTC mall (dining opportunities are a major emphasis in its expansion). Indeed, even the Project's 2015 acknowledge number of "Local Area Restaurants and Food" is large: it lists 150 restaurant and food uses within 1.5 miles, 175 within 2 miles and 316 within three miles! It then states: "there appears be (SIC) support for additional restaurant concepts."

The Executive Summary of the Retail Analysis states that to walk from Starbucks in Costa Verde to Macy's at UTC is 1,000', and when Nordstrom is finished, the entrance to UTC will be 400' closer. The Analysis makes the assumption, that having UTC closer to Costa Verde will attract customers from UTC to Costa Verde. They do not mention the opposite possibility – that customers from Costa Verde will be attracted to UTC.

### **Growth Inducement**

The EIR needs to evaluate the Growth Inducing Impacts of this project. In recent years, every project in the UC Plan area that has proposed a community plan amendment for a major increase in development entitlement has stated that it will have no growth inducing impact. This argument is illogical and not borne out in recent history.

Each time the City approves additional new entitlement via a community plan amendment, other developers follow suit, just as Costa Verde is doing. In fact, the Project Proponents are using the UTC expansion as a partial justification for their own expansion. They are not, for example, proposing a modest increase in

## Friends of Rose Canyon – Costa Verde Scoping Comments

Commercial Retail entitlement as part of a renovation. They are instead proposing a 70% increase in Commercial Retail entitlement. And rather than complying with the existing Commercial Retail use of the site, they are proposing to expand the allowed uses to add a 10 storey hotel and 120 multi-family housing units. This is growth inducement on steroids: the Project itself is the result of growth inducement caused by other projects (like Westfield and Monte Verde), and there is no evidence this cycle of will stop if Costa Verde receives a significant increase in development entitlements.

We look forward to seeing the EIR's analysis of Reduced Project Alternatives.

Sincerely,

Deborah Knight  
Executive Director

August 3, 2016

**BY E-MAIL (DSDEAS@sandiego.gov) and U.S. MAIL**

Elizabeth Shearer-Nguyen, Environmental Planner  
City of San Diego Development Services Department  
1222 First Avenue, MS 501  
San Diego, California 92101

**Re: Costa Verde Revitalization Project / 477943**  
**Comments on Notice of Preparation**

Dear Ms. Shearer-Nguyen:

This firm represents Costa Verde Hotel, LLC ("CVH"). The City previously approved CVH's condominium project, Monte Verde, which CVH is developing on the southwest corner of La Jolla Village Drive and Genesee Avenue, immediately to the north of the "Project" referenced above. Both Monte Verde and the proposed Project are part of the larger "Costa Verde" development, generally bounded by Genesee Avenue, Regents Road, Nobel Drive, and La Jolla Village Drive. This "superblock" is subject not only to the City's usual plans and codes, but also to the Costa Verde Specific Plan ("CVSP").

CVH has the following environmental concerns about the proposed Project that we request be addressed in the Project's environmental impact report ("EIR"). In general, whatever environmental concerns applied to Monte Verde would logically also apply to this Project, as they would occupy different parts of the same superblock.

1. Land use. The proposed Project would replace an established shopping center with a mix of uses. This mixture has the potential for being incompatible with other parts of Costa Verde, the surrounding community, and applicable plans. For example, hotel uses can pose "back of house" (i.e., service, deliveries, etc.) traffic and noise problems for neighbors, and the structures could raise noise and safety issues for flights to and from Marine Corps Air Station Miramar. Generally, the proposed Project represents a significant change in the CVSP's intent that the southeast portion of Costa Verde be the site of low-intensity retail uses. In addition, the Project would constitute a significant increase in development intensity, so it would conflict with existing air quality and regional transportation plans.

2. Traffic, circulation, and mobility. The proposed Project would add hundreds, if not thousands, of peak hour vehicle trips that have the potential for overburdening local roads and freeways. This could be a particular problem for Genesee Avenue because of the City's recent decision not to connect the two segments of Regents Road. Longer term, the Project must accommodate non-vehicular travel – in particular, the light rail transit line that will extend along Genesee Avenue and the City's planned bicycle route. The Project will need good pedestrian



connections to ensure consistency with the City's Mobility Element, which may be difficult to attain given the location of the Project south of the community's principal employment sites.

3. Visual and neighborhood. Any large new project, such as the proposed Project, has the potential not to fit well into an existing neighborhood. The CVSP always anticipated a tall structure – originally, a hotel – at its northeast corner (Lot 12, where Monte Verde is being developed). However, it always anticipated shorter structures in its southeast corner where the proposed Project would be located.

4. Public facilities, services, and utilities. The proposed Project requires plan amendments, which means it is not within growth projections and facilities financing plans for the area. It could thus have significant impacts on libraries, parks, water supply, wastewater, police services, fire services, and solid waste. Any recreational needs should be satisfied on-site. The proposed Project could impair the use of or overburden the existing park at Costa Verde's towers that connects to this site. (These are also potentially land use impacts.) The proposal appears to be large enough to require a water supply assessment.

CVH recently completed work replacing and improving an underground sewer line that runs under Genesee Avenue and into Rose Canyon. However, the sewer line was upgraded in response to Monte Verde and the renovation of the nearby regional center, i.e., Westfield UTC; the City must study its ability to accommodate the new Project. At a minimum, mitigation would require a fair share reimbursement. If the Project necessitates further work on this line or another utility line (e.g., water), it could cause significant impacts to biological and historical resources in Rose Canyon and to traffic, and it could induce further growth.

5. Pre-historic and historic resources. Although the Project would replace an existing development, constructing it would require digging deeper into the ground. This has the potential for harming paleontological and cultural resources that were not previously encountered.

6. Noise. The proposed Project could cause significant noise impacts to a variety of sensitive receptors, including seniors living in Costa Verde and future residents of Monte Verde. This noise could come from construction, increased traffic, and the operation of the hotel and retail uses (e.g., delivery times) and from locating a parking structure near residents.

7. Air quality. The proposed Project would greatly increase traffic in the area, with a concomitant increase in emissions. Construction could also generate a great deal of dust. Because the Project requires plan amendments, it is not within existing growth projections, so it is unlikely that regional air quality plans have accounted for it.

8. Hydrology and water quality. The proposed Project has the potential to change surface water flows and, especially during construction, to increase pollutant runoff.

Of particular concern is a drainage line required for Monte Verde. A parking garage for the proposed Project has the potential to interfere with that flow or require relocation of the line if the new Project is not coordinated properly with Monte Verde.

9. Geologic conditions. As noted above, the proposed Project will require digging deeply into the ground. The EIR should ensure that soils on-site are suitable for the proposed development without blasting.

10. Light/glare/shading. The proposed Project would include buildings that are considerably taller and, due to modern construction techniques for the uses being proposed, potentially more reflective than existing structures. Each of these features could cause significant impacts. Specifically as to shading, the sun's typical path of travel through the sky would tend to cause new structures to cast shadows to the north, onto Monte Verde's residents as they enjoy their homes and walk about the community. In addition, though, summer sunrises and sunsets could cause the Project to cast shadows on the shorter apartments to the southwest and southeast.

11. Climate change/energy conservation/water conservation. The State and City have enacted many regulations intended to reduce greenhouse gas emissions. The State Supreme Court recently held that EIRs for large projects may not simply compare a project's emissions to "business as usual" before these regulations were enacted. The City must evaluate the potential impacts this Project could have on greenhouse gas emissions, including the Project's needs for energy and water during construction and operations.

12. Wind tunnel. Tall buildings, as would be part of the proposed Project, pose a risk of creating a wind tunnel effect.

13. Cumulative impacts. Many of the above impacts are potentially cumulative in nature – most obviously, impacts to traffic and climate change.

14. Alternatives. Case law requires that EIRs evaluate a reasonable range of alternatives, chosen so as to minimize or avoid potentially significant impacts. To satisfy this requirement, the EIR for the proposed Project should evaluate a smaller project, reduced not only proportionately but also by eliminating certain uses that have the potential to cause specific impacts such as noise. The EIR should also study moving the proposed hotel away from Monte Verde and the Costa Verde towers, as doing so would greatly reduce land use conflicts and noise impacts.

Please feel free to call me if you have any questions about this letter.

Very truly yours,



Richard A. Schulman  
**HECHT SOLBERG ROBINSON GOLDBERG & BAGLEY LLP**

RAS:cas  
cc: Client

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## SIGN IN SHEET

Costa Verde Revitalization Project No. 477943/ SCH. No. 2016071031

Environmental Impact Report Scoping Meeting

July 28, 2016

[illegible]



**Costa Verde Revitalization Project No. 477943/ SCH. No. 2016071031**  
Environmental Impact Report Scoping Meeting  
July 28, 2016

[illegible]

COSTA VERDE CENTER REVITALIZATION PROJECT

PROJECT NO: 477943/SCH NO: 2016071031

SCOPING MEETING FOR THE ENVIRONMENTAL IMPACT REPORT

THURSDAY, JULY 28, 2016

COSTA VERDE CENTER - NEIGHBORHOOD ROOM

8650 GENESEE AVENUE

SAN DIEGO, CALIFORNIA 92122

REPORTER'S TRANSCRIPT OF THE PUBLIC MEETING

BEFORE VICE PRESIDENT, INVESTMENTS FOR REGENCY CENTERS:

JOHN W. MURPHY

CITY OF SAN DIEGO, DEVELOPMENT SERVICES DEPARTMENT:

ELIZABETH SHEARER-NGUYEN

Reported by: Lauren Ramseyer, CSR No. 14004

1 THURSDAY, JULY 28, 2016, 5:30 P.M., SAN DIEGO, CALIFORNIA

2 MS. SHEARER-NGUYEN: Thank you for attending,  
3 and welcome to the scoping meeting for the Environmental  
4 Impact Report for the Costa Verde Revitalization  
5 Project.

6 I'm Elizabeth Shearer-Nguyen with the City of  
7 San Diego's Development Services Department. I'm an  
8 environmental planner.

9 The environmental documents are prepared in  
10 accordance with the California Environmental Quality  
11 Act. CEQA requires analysis of a proposed project's  
12 environmental impacts in order to identify ways that  
13 those impacts can be avoided or significantly reduced.

14 This meeting is referred to as a scoping  
15 meeting, and the purpose is to give the public and  
16 interested parties an opportunity to give -- I'm sorry,  
17 to submit comments regarding the potential impacts of  
18 the proposed project. The information gathered tonight  
19 will be used to guide the scope and content of the  
20 environmental document.

21 We're not here to respond to questions about  
22 the project, but rather to gather input from the public.

23 Comments may be provided either verbally or  
24 written. In order to facilitate written comments, there  
25 are comment forms that have been provided at the front

1 table. Please include your name and address. Also, if  
2 it could be legible, sometimes I have trouble reading  
3 things.

4 Comments can also be emailed. There are  
5 public notices at the front with the email address along  
6 with the project manager's name on there if you have  
7 questions about the processing of the project.

8 As previously mentioned, this meeting has been  
9 scheduled to gather input prior to preparing the  
10 project's environmental document.

11 The environmental review staff is required by  
12 the City's Municipal Code to provide the public and the  
13 decision makers with independently prepared  
14 environmental documents, which disclosed impacts to the  
15 physical environment.

16 This information is used by the City's  
17 decision makers as part of the deliberating process in  
18 approving or denying a project. The environmental  
19 document itself does not recommend approval or denial of  
20 the project.

21 A few comments about how the meeting will be  
22 conducted:

23 First, a brief description of the project by  
24 John Murphy will take place, and we'll open the meeting  
25 for public comment. The meeting, as I said, is designed



1 to gain as much public input as possible in areas that  
2 need to be analyzed in the environmental document in the  
3 time allotted for this meeting; and the meeting time is  
4 allotted for two hours.

5 So you're aware, if people's comments end and  
6 a lot of people do not show up, we will conclude the  
7 meeting earlier than noticed. But it is noticed that it  
8 could end earlier on the public notice, that is.

9 Your verbal comments will be recorded,  
10 therefore, each speaker is asked to introduce  
11 themselves, state their address, and complete their  
12 comments within the time allotted. Please refrain from  
13 trying to conduct a debate on the merits of the project,  
14 for that is not the purpose of today's meeting.

15 I need to emphasize that the focus should stay  
16 on the environmental impacts that need to be analyzed in  
17 the Environmental Impact Report.

18 Lastly, Andrea Bitterling will act as my  
19 moderator and time keeper for the duration of the  
20 meeting, and we respectfully request that when your time  
21 is up that you end your comments.

22 Thank you in advance for your patience. Now  
23 we will begin.

24 I'd like to once again introduce John Murphy  
25 who will provide a project description.

1 Thank you.

2 MR. MURPHY: Thank you.

3 Good evening, everyone. I'm John Murphy.

4 Some of you have met me before. I'm leading the effort  
5 for Regency Centers to revitalize Costa Verde, and I  
6 think it's important for people to realize that Regency  
7 Center operates ten shopping centers around San Diego.  
8 You might already shop at one of our centers, but  
9 tonight we're talking about Costa Verde in particular.

10 As we move forward, we'd like to show you just  
11 some images that we have of the project. Some of you  
12 are familiar with what we want to do here, and I just  
13 thought it would be good for to us revisit some of the  
14 imagery that we've seen before, and some that's been  
15 slightly modified based on some comments that we  
16 received from the community already.

17 So this is the existing center. Again, this  
18 is a good image just for people to get a handle on where  
19 we are.

20 Costa Verde Shopping Center has been around  
21 since 1989. It was originally entitled for 178,000  
22 square feet, which is what we have here right now. It  
23 was built as a strip center, which is what it was  
24 called, back in the '80s, and there was no residential  
25 behind us. It faced the street. That's why parking

lots are right on the street.

But over the last few years people have noticed that it's starting to run down a little bit. In fact, one of the reasons you see all the fans here is my air conditioning in this space broke down at 3:00 o'clock this afternoon, and now I'll have a bill to fix that. So continuing to try to keep an older shopping center running can be problematic. So, again, trying to create a new destination here at Costa Verde is a goal.

What we're asking for, as we're moving forward with the community plan amendment, is an additional 125,000 square feet of retail, a 200-room hotel, and 120 residential units. That's what we're asking for. We want to help make this project realize its full potential on the site.

One thing we want to do with the center is you'll see there's a lot more trees that are added to the plan. There are community gathering plazas, if you will. There's a private park. There's a community garden aspect to it. And one of the things, again, these are pretty pictures and stuff, but the reality is as you came into this room tonight, you walked across a plaza that's full of concrete, not a lot of trees, and that's one of the areas we want to add -- revitalize,

1 because, again, it was built in 1989. It was built to  
2 be bullet proof in a sense that it gets power washed, it  
3 gets cleaned up. There's not a real sense of place  
4 there. I mean, look at it. There's no one out there  
5 right now. It's kind of an unutilized space.

6 We want to make it someplace that you can come  
7 get out of the sun, shade structures, umbrellas, some  
8 landscaping. That's one of the things you can see right  
9 out there that needs to be improved.

10 So when we're talking about this project going  
11 forward, you all know that the project has a topography  
12 where one side is higher and one side's lower. The  
13 lower half is the area that we're calling the  
14 Neighborhood Center, and that has the Bristol Farms, it  
15 has the Wells Fargo.

16 In our future plan, that's where we want to  
17 have a pharmacy; that's where McDonald's stays; that's  
18 where the gas station stays, because those are  
19 neighborhood uses that Regency, which is a neighborhood  
20 shopping center -- we have 350 shopping centers, and all  
21 of them have a grocery store and a pharmacy. So this is  
22 something that we know very well. It's something we  
23 want to be able to do.

24 One thing to remember about this plan,  
25 McDonald's and the gas station have leases through 2030,



1 so they're great tenants. They're going to be with us  
2 for a long, long time.

3 The next image that we talked about is what we  
4 call the Main Street area, and that's the higher  
5 elevation that we have that we're sitting on right now.  
6 That's what we call the Main Street. That's where we'll  
7 have smaller shops, other neighborhood amenities,  
8 restaurants. You'll see a lot of double-height retail,  
9 which, again, is not something that most developers will  
10 do, but because of the Main Street that we're creating,  
11 the parking structure that we will be building to  
12 accommodate the parking needs that we have to modernize  
13 here, so that's what we call the Main Street.

14 There will be a bicycle plaza; this will bring  
15 a lot more energy than the Neighborhood site -- not that  
16 the Neighborhood site won't be energized, because that's  
17 where people do a lot of their daily shopping. This  
18 will just have a different feel to it.

19 Here's an elevation of what the Main Street  
20 would look like looking back if you were sitting at  
21 Starbucks right now and looking out towards the park in  
22 back, and eventually you can see where the trolley  
23 comes, and that's where -- it would be our park. But  
24 our park meets the trolley up in the sky 50 feet, which  
25 is where the trolley will be. That's that view.

1           This is the view looking back. That little  
2 arch that you see right now, right there, that's where  
3 that elevator is across the plaza. The elevator  
4 actually gets moved to what we call Building B, and that  
5 becomes an open space connecting us to the residential  
6 that, again, didn't exist when the center was originally  
7 built. We want to connect with the neighbors.

8           Here's a list of some outreach that we've  
9 already done within the neighborhood. Just an example,  
10 we are here to take your input. Again, one of the  
11 things we're doing tonight is talking about the  
12 Environmental Impact Report and what goes into that  
13 scope. But we've met with our neighbors at the Vi, you  
14 know, we've taken some input already and we'll continue  
15 to do that. We work with the UCPG subcommittee on notes  
16 they want to give us about what should be on the site.  
17 So there's lots of opportunities to give us input, and  
18 we're welcoming that input. We are here to listen.

19           There are any number of ways to reach us or  
20 me, and then that's my email address. A lot of you have  
21 already started emailing me. I welcome email. I will  
22 email you back. And I'm here to answer questions; not  
23 necessarily right now, because tonight's more about the  
24 environmental impact. But in the future, tomorrow,  
25 later today, the next day, I'm available to you.

1           Again, I'm John Murphy. I'm leading the  
2 project, and thank you for coming out tonight.

3           MS. SHEARER-NGUYEN: Thank you.

4           With that, I'd like to open up the public  
5 comments. I'd like to start with Janis Deady.

6           MS. DEADY: Wow, being the first one. I was  
7 hoping I'd be the last one.

8           Hi, my name is Janis Deady. I live at 6166  
9 Via Regla, R-e-g-l-a. And my husband Ryan and I have  
10 been residents of this community for 21 years.

11           And I'm excited about this project, mostly  
12 because I think this developer is open to the  
13 community's feedback. I've read a lot about One Paseo  
14 and all of the animosity between the community and that  
15 developer, and I don't get that impression here. And I  
16 think that's important, because I think we need to have  
17 this shopping center uplifted and updated.

18           For me, I -- I'm not going to say I'm a serial  
19 shopper, but my husband would say I shop a lot. And I  
20 don't feel that this center offers me what I need. And  
21 I think if it gets updated, I will make less trips to  
22 Fashion Valley and Mission Valley to go get things that  
23 I need in my life. And I believe that other people will  
24 do the same and they'll stay here. They'll stay here to  
25 dine; they'll stay here to shop; they'll stay here to

1 socialize, and I think that's good for the community.

2 I believe that the open spaces they are  
3 planning to put here will mean I will socialize here  
4 more. I'll ride my bike more, I have a Vespa, and I'll  
5 come here more. I believe that it's going to be a more  
6 environmentally friendly center than it is now. So,  
7 that's it.

8 MS. SHEARER-NGUYEN: Thank you. Again, I'd  
9 like to remind everyone that we appreciate the comments,  
10 but I'd really like to make them focused on the  
11 environmental issues that need to be analyzed in the  
12 environmental document.

13 Bill -- and I can't read the last name, but it  
14 starts with a "B."

15 MR. BURRGRAPH: That's probably me.

16 MS. SHEARER-NGUYEN: Thank you.

17 MR. BURRGRAPH: I'm Bill Burrgraph, and I live  
18 at the 500-person residence next door, which is Vi at  
19 the Costa -- or the Vi at La Jolla Village, and I  
20 applaud this approach, and I think the -- most of the  
21 plans are attractive. I think it brings some things to  
22 us that we could use. But the elephant in the room for  
23 us, and for I think many people in the neighborhood, is  
24 this proposed gigantic parking structure less than  
25 100 feet away from a residence that contains 500 aging

1 people, many of whom have respiratory problems. Move  
2 that parking structure, you'll probably have 500 more  
3 happy neighbors.

4 MS. SHEARER-NGUYEN: Thank you. Stephanie  
5 Boudreau. I hope I pronounced it correctly.

6 MS. BOUDREAU: Hi, I'm Stephanie Boudreau.  
7 I'm the executive director of Vi at La Jolla Village.  
8 That is the place where Mr. Burrgraph lives, and a  
9 couple of the other residents I see in the audience.

10 We have a lot of concerns about this project.  
11 We're excited about some aspects of it, but the things  
12 we're concerned about and what we would like to see is a  
13 parking study, a density study as it relates to the need  
14 for apartments and what that will do to our area,  
15 especially in light of the four towers that are going in  
16 at the end of the driveway.

17 We're concerned about the parking garage that  
18 will be right underneath the windows of many of the  
19 residents in my community. And we'd like to know about  
20 the impact of the exhaust as well as the noise from that  
21 parking garage. I think that covers it.

22 MS. SHEARER-NGUYEN: Thank you.

23 Tom Fetter.

24 MR. FETTER: I have been a tenant here since  
25 1989. I was here when it was just bare ground and had



1 built the gas station that's at the corner, which has  
2 been a family business for that period of time.

3 I appreciate what these guys are going  
4 through. It's absolutely -- it's hard to remodel your  
5 own home let alone a place where a whole bunch of other  
6 people are working and living and something that's as  
7 public as this. I met with them, and I appreciate what  
8 they're doing.

9 I have some concerns, because the value of the  
10 land is going to be basically dependent by what you can  
11 build on it. And you need to go vertical, and it's very  
12 hard to go vertical over a gas station.

13 So my concern is -- I'm concerned about  
14 trading off the gas station air space for whatever it  
15 is, 120 residential units. I would hope -- to me  
16 there's a plethora of residential units in the  
17 neighborhood, and they are two- or three-story ones  
18 across the streets from us, and I would rather see those  
19 units go vertical than take away what I think is an  
20 essential part of the neighborhood.

21 So this will be worked out, I guess, over the  
22 next ten years. We'll see what happens. But that would  
23 be my concern. A neighborhood center should have a post  
24 office, a gas station, it should have a car wash, it  
25 should have a grocery story. Unfortunately, if we go

1 vertical over that, it's difficult to go over a gas  
2 station. It can be done, and it's done in Europe and  
3 it's done in Asia, and I'm working on getting plans for  
4 that that I can submit to them. I have some pictures.  
5 But I'm not sure we can -- I guess I've got ten years to  
6 try to work that out.

7 But my only criticism would be the inclusion  
8 of residential. And the thing that I don't understand  
9 is, is this company, which is very well-esteemed.  
10 Regency is in the shopping center business; not in the  
11 residential business. But somebody has told them they  
12 have to be in the residential business here, and I -- I  
13 think that's misguided.

14 Thank you very much.

15 MS. SHEARER-NGUYEN: Thank you.

16 Janay Kruger.

17 MS. KRUGER: Hi, I'm the chairman of the  
18 University City Community Planning Group, and we met on  
19 this project, actually before I was on it, in 2004. The  
20 shopping center came forward to initiate a plan to add,  
21 I believe, 75,000 square feet, and it was approved by  
22 the planning group and the planning commission, but they  
23 never moved forward.

24 So we -- in general, what's going on with the  
25 community is we're very concerned about traffic on

1 Genesee once Westfield, the current phase, is done, and  
2 they're additional trips throughout. It's at least  
3 16,000 additional trips that will be on Genesee.

4 So we're recommending, in general, from our  
5 discussions of the subcommittee and the planning group,  
6 that you add two alternatives: One with no hotel, no  
7 residential; and the additional alternative with a  
8 reduced retail that they asked for in 2004.

9 We would like to make sure that the noise  
10 study is done to accommodate the Vi, because they take  
11 most of the noise, as do the condos across the street.  
12 We would like you to add community character to the  
13 studies that you're doing.

14 Several people think you should do below-grade  
15 parking. So we'd like you to study, John, below-grade  
16 parking.

17 The circulation element, we are currently  
18 updating our circulation element right now, and the  
19 responses for comments are due on Monday. And we will  
20 be probably, it looks as if we will be -- the proposal  
21 is to eliminate the widening of Genesee and the Regents  
22 Road bridge. So you need to take that into  
23 consideration on the traffic studies.

24 We believe the planning commission didn't  
25 understand that Costa Verde is already a mixed-use

1 project, and that we don't need additional residential  
2 because there's a couple thousand units next door. And  
3 then the -- some of the suggestions that were part of  
4 the mitigation of the commercial is to restrict the  
5 delivery hours from 7:00 a.m. to 7:00 p.m. so it doesn't  
6 affect the residents across the street or next door.

7 And the last issue is the setbacks to the Vi.  
8 It's real important that you set back with them and stay  
9 off the property and stay off our community's property.  
10 So those are our additions. We agree with all the  
11 studies that you're proposing.

12 Thank you.

13 MS. SHEARER-NGUYEN: Thank you.

14 Jack Hutzman.

15 MR. HUTZMAN: First, I'd like to express my  
16 appreciation for doing these outreaches with the  
17 community. It's very useful.

18 I think there's a lot of useful aspects and  
19 features of the development, but I have a big problem  
20 with the location of the garage. I live at the Vi,  
21 facing Bristol Farms, and I have two issues --  
22 environmental issues with the garage. The first is  
23 technical, and the second is the timing of the studies.

24 Technically, as the cars enter and leave the  
25 garage, they send the carbon monoxide upwards, and it

1 goes up very slowly with just a little bit lighter than  
2 air, and it disperses. And about a quarter of it is  
3 going to go against the apartment buildings and right  
4 into the nostrils of the people sitting on the patios.  
5 So it needs to be studied very carefully.

6 The second issue is the timing of the studies.  
7 I was extremely surprised that the location of the  
8 garage was without any prior environmental studies of  
9 either noise or carbon monoxide solutions. I would  
10 imagine that you can't do the complete EIR at the  
11 beginning of a project, but I would imagine you would  
12 have done some scoping, and that would have dictated the  
13 location of the project.

14 So that concern, without the timing of the  
15 studies, if the first studies we see are in the EIR,  
16 that's very late in the project. I would like to see  
17 some studies, at least some preliminary studies, much  
18 earlier to be able to discuss that and discuss that with  
19 relation to the location of the garage.

20 Remember, it's the cars entering and leaving.  
21 And I don't know if I mentioned this, the cars leaving  
22 are a worse problem, because cold engines send up more  
23 emissions than warmed up engines. So it could be a  
24 serious problem, and it needs to be looked at very  
25 seriously.



1 Thank you.

2 MS. SHEARER-NGUYEN: Thank you.

3 Carole Pietras.

4 MS. PIETRAS: I'm Carole Pietras. I live in  
5 south UC, and I've lived there since 1971.

6 I'm in favor of the project. I think the  
7 details, hearing about the parking concerns and the  
8 garage concerns should all be worked out among the  
9 community members here.

10 I think this area, which we've shopped in, we  
11 come to Coco's, the bank at Wells Fargo, even though we  
12 live in south UC, we frequent the center up here, and it  
13 certainly can use some you upgrading and improvement.

14 I'm also a member of a group called Citizens  
15 for the Regents Road Bridge. I'll put in a little plug  
16 for that. If there are any of you here who feel the  
17 bridge should be built over Rose Canyon, so we have  
18 greater circulation and ingress and egress between north  
19 and south University City and the schools.

20 So, again, I favor the project.

21 Thank you.

22 MS. SHEARER-NGUYEN: Thank you. That  
23 concludes the -- oh, all right. One moment.

24 MR. CHIN: Sorry.

25 MS. SHEARER-NGUYEN: No, it's okay. Thank

1     you.

2                   MR. CHIN:   My name is Ed Chin.   I live in the  
3     Vi.   I also live right in back near the proposed parking  
4     garage.

5                   First, I'd like to -- we really like living  
6     where we are.   We like the convenience of the mall.  
7     Actually living -- living -- we like living next to the  
8     mall, but there are some problems, such as someone  
9     mentioned before about delivery.   Sometimes delivery  
10    comes late at night, and then it's also a -- people  
11    evacuating the garage or the parking lot makes a lot of  
12    noise at -- even at 11:00 or 12:00 o'clock at night.

13                  I'd like to address the problem about the  
14    traffic within the mall.   I think the people who live  
15    there know about it.   But, for instance, if you were --  
16    if you're standing in front of the Bristol Farms and you  
17    try to get to the bank, it's very dangerous.   All the  
18    cars passing in front of you, it's almost impossible to  
19    walk there.

20                  And if you're in the McDonald's and you're  
21    trying to get out of McDonald's and walk to eat, another  
22    dangerous proposition.

23                  I'm worried that if you use this  
24    multi-structure garage -- I'm not sure how tall it's  
25    going to be, maybe four or five floors, as I was told --

1 I think people are going to, rather than driving  
2 directly into the garage, they're going to circle around  
3 looking for a ground-level parking space, going a couple  
4 times around before they enter the garage, generating  
5 more traffic.

6 So my proposal was to why not build the garage  
7 next to Genesee or Nobel. This way cars can enter and  
8 exit the garage without being in the mall. It will have  
9 fewer cars, fewer -- make it safer for the residents.  
10 Not only is it a -- not only is it better for the  
11 residents, as far as the poisonous fumes, it would be a  
12 safer place to walk.

13 And I heard one time that it may be -- may not  
14 be legal to have a parking garage on the street side,  
15 but then if you look at what's being done now, there's a  
16 huge garage on Genesee already. So a little more won't  
17 hurt.

18 MS. SHEARER-NGUYEN: Could you please wrap up  
19 your comments? Thank you.

20 MR. CHIN: Okay. I'm finished.

21 MS. SHEARER-NGUYEN: Sorry, thank you.

22 MR. ROWE: How are you doing? My name is  
23 Chris. I actually own the McDonald's over here. It's  
24 been a family business for a long time. I know a lot of  
25 people think McDonald's is a big, huge corporation, but

1 it's really owned by small business owners -- me, my  
2 wife, and my two kids. My parents actually owned it  
3 before. I took over a couple years ago.

4 It's actually been a pleasure working with  
5 John. He definitely does reach out to the community and  
6 reaches out to us as tenants. He's definitely a team  
7 player with the community, so I'm glad everybody came  
8 out and reached out to him and gave feedback.

9 I've been working with him on traffic going  
10 through right now. We're going to be putting in a dual  
11 drive-through to try to ease the traffic over there in  
12 front of McDonald's and the gas station. We're going to  
13 start construction on that soon. So he's definitely  
14 proactive, and he's looking at trying to fix the parking  
15 situation. I know it's a big problem around here, and  
16 the traffic in the mall.

17 I just want to say on the residential  
18 building, this is a community center. That's the goal.  
19 I'm not really big on putting another 120 units right  
20 there. We've got a whole bunch of them around. We  
21 have, like, 600-something going in over at Garden  
22 Communities. You know me, I own a McDonald's, so the  
23 more humans, the merrier, right, you'd think. But just  
24 smack dab right in the middle of the community center  
25 doesn't make too much sense on to me.

1 Keep it in the round, kind of like what Tom  
2 said. Build up around, maybe outside build higher. But  
3 right smack in the middle of where you're shopping,  
4 where the bank is and everything, I just don't see it.

5 That's me. Thanks.

6 MS. SHEARER-NGUYEN: Thank you. With that,  
7 that's all the speaker slips I have. There are  
8 opportunities if somebody wants to come up and speak,  
9 you have three minutes. And I would ask if you do come  
10 up you fill out a speaker slip. Great.

11 Again, if you could introduce yourself. Thank  
12 you.

13 MR. BISCHOFF: My name is Gerald Bischoff. I  
14 live at the Vi. I looked at this facility, the plans a  
15 while back, and I made a bunch of notes. And they were  
16 distributed to University City Planning Group and to  
17 John Murphy, I understand.

18 Those items on that list, in my mind, are  
19 very, very important, and I haven't seen any change in  
20 the plans, but I would hope very much that -- and  
21 echoing other people here about the residential tower  
22 and the parking, making this a community center would be  
23 very important. And I think detracting would be a  
24 residential tower.

25 I just -- I don't want to reiterate, but those

1 documents that I did file are -- should be on the  
2 record, and I would like those areas of concern taken  
3 care of, if possible. Thank you.

4 MS. SHEARER-NGUYEN: Thank you.

5 Any other individuals wish to speak?

6 This closes the public environmental scoping  
7 meeting for the Costa Verde Revitalization project.  
8 Your input will be considered by City staff for use in  
9 the scope of the EIR and included as part of the  
10 official public record for the document.

11 Speakers and commenters who provided contact  
12 information will be placed on the notification list for  
13 further environmental review actions related to this  
14 project, provided that the information submitted is  
15 legible.

16 I would also like to remind everyone that this  
17 is just the start of the environmental review process.  
18 There will be other opportunities for you to provide  
19 comments on the environmental documents, such as during  
20 community group meetings, during the public review of  
21 the draft environmental review documents, as well as any  
22 public hearings associated with the project.

23 With that I want to thank you for attending,  
24 and have a great evening.

25 (Meeting concluded at 6:10 p.m.)



REPORTER'S CERTIFICATE

I, Lauren Ramseyer, Certified Shorthand  
Reporter licensed in the State of California, License  
No. 14004, hereby certify that the foregoing was  
reported by me and thereafter transcribed by  
Computer-Aided Transcription; that the foregoing is a  
full, complete, and true record of said proceedings held  
on July 28, 2016.

In witness whereof, I have hereunto set my hand to  
this day: July 31, 2016.

Lauren Ramseyer  
Lauren Ramseyer  
CSR No. 14004